

Evaluation of the judicial systems 2024 (data 2022)



Bosnia and Herzegovina

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Reference data 2022 (01/01/2022 - 31/12/2022)

Start/end date of the data collection campaign : 15/03/2023 - 01/10/2023

Objective :

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

The present questionnaire was developed by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, in service of the European citizens.

For better understanding of the questions it is necessary to consult the Explanatory note that gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, You can download the Explanatory note as a whole document on the CEPEJ website. In addition to the Explanatory note, there is also the User manual that is a technical document to help you navigate through this application for data collection.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

Instruction :

Explanatory note: <https://rm.coe.int/explanatory-note-2024-cycle-cepej-2023-2-en/1680aae30a>

Word version of the questionnaire - <https://rm.coe.int/evaluation-scheme-2024-cycle-cepej-2022-9rev1-en-30-march-2023/1680aae309>

CEPEJ COLLECT - User manual – you can download under Documentation tab

1.General and financial information

1.1.Demographic and economic data

1.1.1Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[3 453 000]

Comments The abovementioned information on the number of inhabitants represents the estimation of Bosnia and Herzegovina Statistics Agency as of 30.06.2021. An estimate for 2022 will be available very late in 2023.



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003. Per capita GDP (in €) in current prices for the reference year

[6 781]

Comments The Agency for Statistics of Bosnia and Herzegovina has published the preliminary value of GDP for 2022. Nominally, the GDP amounted to 45,505 million KM and compared to 2021 is nominally higher by 16.2%. The real growth of the GDP, without the influence of prices, was slower than the nominal one and amounted to 4.1%. Due to the record price growth in 2022, a high nominal growth was achieved. If the average movement of the consumer price index in Bosnia and Herzegovina in 2022 is compared to the average in 2021, it can be determined that an average inflation of 14.0% was recorded in that period. Compared to 2021, the annual growth of the producer price index was 19.8%. From the above, it can be concluded that the strong rise in prices led to a nominal growth of 16.2%.

004. Average gross annual salary (in €) for the reference year

[10 571]

[] NA

Comments In 2022, according to the Agency for Statistics of Bosnia and Herzegovina salaries significantly increased both in the public sector and the private sector in Bosnia and Herzegovina, mostly due to various drastic changes in the domestic and global economy such as rise in inflation and increase in product prices.

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1:

[1.95583]

Allow decimals : 5

[] NAP

Comments

A1. Please indicate the sources for answering the questions in this part

Sources: The Agency for Statistics of Bosnia and Herzegovina.
The Central Bank of Bosnia and Herzegovina.

1.1.2 Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this question, please answer NA to question 7.

Approved budget (in €)	Implemented budget (in €)
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TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	118 765 506 [] NA [] NAP	109 176 210 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	96 216 273 [] NA [] NAP	93 309 769 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	[X] NA [] NAP	1 922 788 [] NA [] NAP
2.1 Investments in computerisation	[X] NA [] NAP	[X] NA [] NAP
2.2 Maintenance of the IT equipment of courts	[X] NA [] NAP	[X] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	[X] NA [] NAP	513 702 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	[X] NA [] NAP	8 864 318 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	[X] NA [] NAP	11 385 [] NA [] NAP
6. Annual public budget allocated to training	[X] NA [] NAP	97 919 [] NA [] NAP
7. Other (please specify)	[X] NA [] NAP	4 456 328 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences:

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or the one allocated to legal aid, please fill in only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	[] NA [X] NAP	[] NA [X] NAP
Total annual public budget allocated to all courts and legal aid together	[] NA [X] NAP	[] NA [X] NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	[] NA [X] NAP	[] NA [X] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:



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008. Are litigants in general required to pay a court fee to initiate a proceeding at a court of general jurisdiction:

	Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input checked="" type="checkbox"/> No
for other than criminal cases	<input type="checkbox"/> Yes, at the beginning of the procedure <input checked="" type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

Comments - If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions?

008-1. Please briefly present the methodology of calculation of these court fees:

- The legislation on court taxes is adopted at all levels of the government (Bosnia and Herzegovina, entities, cantons and Brcko District). Majority of the aforementioned laws define court fees to initiate the proceedings by filling a lawsuit as a fixed amount. Their amount depends on the value of the claim that is determined by the plaintiff or the type of court proceedings (e.g. court fee to initiate a divorce proceeding); however, the court fee for claims exceeding relatively high amounts (e.g. more than 50.000 Euro) is a percentage of the contested claim. Some of the laws on court fees in Bosnia and Herzegovina prescribe as a basic principle that the court fee to submit a lawsuit is calculated as a percentage of the contested claim regardless of its amount. In addition, these laws also determine that a fee to start certain types of the civil proceedings is determined as a fixed amount (e.g. divorce proceedings, eviction lawsuit).

008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:

[100]

[] NA

[] NAP

Comments

009. Annual income of court fees received by the State (in €):

[24 552 308]

[] NA

[] NAP

Comments The significant increase of revenues generated through the collection of court fees came as a consequence of the surge in the volume of court cases in the current reporting year (i.e., 2022), whereas the income of court fees was much lower in the previous reporting year (i.e., 2020), because the functioning of the courts was substantially disrupted in that year due to the implementation of measures aimed at preventing the spread of the COVID-19 pandemic.

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
12.1 for cases brought to court (court fees and/or legal representation)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	8 442 077 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences:

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012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:

	Amount calculated/estimated included
Coverage of court fees	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP (Legal aid does not include coverage of court fees)
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP (Legal aid does not include exemption from court fees)

Comments

013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.

Approved budget (in €)	Implemented budget (in €)

Total annual public budget allocated to the public prosecution services, in € (including 13.1)	34 350 939 [] NA [] NAP	32 803 150 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	[X] NA [] NAP	15 704 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: Some prosecution offices allocated a smaller amount of funding in connection with the training in the reporting year. However, the disparities in training funding for 2022 compared to 2020 are not significant considering the small value of absolute amounts the prosecution offices generally allocate for this purpose.

A2. Please indicate the sources for answering the questions in this part

Sources: 012-3 The legislation on free legal aid and other relevant legislation in Bosnia and Herzegovina. 013 The information on annual (approved and implemented) public budget was collected from the prosecution offices in Bosnia and Herzegovina.

1.1.3 Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	257 260 352 [] NA [] NAP	[X] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

015-2. Elements of the judicial system budget (Q6, Q7, Q12, Q13)

	Included
Courts	(X) Yes () No [] NAP
Legal aid	(X) Yes () No [] NAP
Public prosecution services	(X) Yes () No [] NAP

Comments

015-3. Other budgetary elements

	Included
Prison system	(X) Yes () No [] NAP
Probation services	() Yes () No [X] NAP
High Judicial Council	(X) Yes () No [] NAP
High Prosecutorial Council	(X) Yes () No [] NAP
Constitutional court	(X) Yes () No [] NAP
Judicial management body	() Yes () No [X] NAP
Service for legal representation of the State	(X) Yes () No [] NAP
Enforcement services	() Yes () No [X] NAP
Notariat	() Yes (X) No [] NAP
Forensic services	(X) Yes () No [] NAP
Judicial protection of juveniles	() Yes (X) No [] NAP
Functioning of the Ministry of Justice	(X) Yes () No [] NAP
Refugees and asylum seekers services	() Yes (X) No [] NAP
Immigration Service	() Yes (X) No [] NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	(X) Yes () No [] NAP

Other	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
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If "Other", please specify:

A3. Please indicate the sources for answering the questions in this part

Sources:

2. Access to justice and all courts

2.1. Legal Aid

2.1.1 Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Legal advice, ADR and other legal services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

016-1. Please briefly describe the organisation of the legal aid system in your country.

<p>- The courts and the specialized government institutions provide free legal aid to citizens in relation to court proceedings. Free legal aid is provided by the courts in criminal proceedings by assigning a lawyer to a suspected or accused person if that person meets the conditions laid down by law (e.g. obligatory defense etc.) Also, the courts may make a decision on exemption from the costs of proceedings for parties in different types of proceedings (e.g. criminal, civil). In addition, free legal aid centers have been established by the legislation adopted at all levels of government as a part of the respective public administration system. Employees of free legal aid institutions represent the citizens in various types of court and non-court proceedings or give legal advice to the citizens and compose legal documents for them. Citizens are entitled to free legal aid provided by the legal aid institutions if they fulfill financial and property criteria prescribed by the relevant legislation.</p>

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

Yes

() No

[] NAP

If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

Comments - If yes, please specify:

2.1.2 Information on legal aid



020. Please indicate the number of cases for which legal aid has been granted:

	Total	Cases brought to court	Cases not brought to court
TOTAL	25 834 [] NA [] NAP	8 098 [] NA [] NAP	17 736 [] NA [] NAP
In criminal cases	4 462 [] NA [] NAP	3 835 [] NA [] NAP	627 [] NA [] NAP
In other than criminal cases	21 372 [] NA [] NAP	4 263 [] NA [] NAP	17 109 [] NA [] NAP

Comments - Please specify when appropriate:

020-0. Please indicate the number of recipients of legal aid:

	Total	Cases brought to court	Cases not brought to court
TOTAL	25 968 [] NA [] NAP	8 206 [] NA [] NAP	17 762 [] NA [] NAP
In criminal cases	4 525 [] NA [] NAP	3 889 [] NA [] NAP	636 [] NA [] NAP
In other than criminal cases	21 443 [] NA [] NAP	4 317 [] NA [] NAP	17 126 [] NA [] NAP

Comments - Please specify when appropriate: In the relevant reports for 2022, there was a slightly higher number of beneficiaries of free legal aid than the number of cases in which free legal aid was provided. The institutions for the provision of free legal aid explained that this difference was recorded because individual users were registered two or more times during the same year as recipients of different legal services.

020-0-1. Are there statistical data disaggregated by gender in respect of recipients of legal aid?

Yes

No

Comments

020-0-2. If yes, please provide details on distribution by gender of recipients of legal aid:

	Total	Males	Females
Number of recipients of legal aid	25 968 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 978 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 990 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

020-0-3. Is it possible to divide the number of recipients of legal aid per different categories of cases?

Yes

No

Comment: If yes, please specify for which categories of cases:

020-0-4. Are there situations where legal aid is automatically granted depending on categories of cases?

Yes

No

Comment: If yes, please specify:

020-0-5. How many of the recipients of legal aid are alleged victims of domestic violence?

	Total	Males	Females
Number of recipients of legal aid who are alleged victims of domestic violence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final decision on the legal aid request:

	Time in days
Maximum duration prescribed in law/regulation	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Actual average duration	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes

are envisaged for criminal and other than criminal cases, please provide more information:



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021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify:

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	(X) Yes () No [] NAP
Victims	(X) Yes () No [] NAP

Comments

023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

(X) Yes

() No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: The amount provided above is an estimate made on the basis of varying financial criteria for granting free legal aid used by institutions of different levels of government for deciding on granting free legal aid in Bosnia and Herzegovina; these criteria are linked to the amount of average salary. These institutions also use different criteria for owning property for granting or refusing free legal aid cumulatively with the income criterion, as well as other additional criteria (e.g. income of other family members); however, these property criteria are not intended to be expressed through monetary amounts. The examples of the assets criteria: beneficiaries of legal aid may not own or co-own a business; they also may not own two or more housing units (i.e. a house or a flat) and they may not own business premises. Partial legal aid does not exist in Bosnia and Herzegovina.

023. If yes, please specify in the table:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	1 705 [] NA [] NAP	[X] NA [] NAP

Full legal aid to the applicant for other than criminal cases	1 705 [] NA [] NAP	[X] NA [] NAP
Partial legal aid to the applicant for criminal cases	[] NA [X] NAP	[] NA [X] NAP
Partial legal aid to the applicant for other than criminal cases	[] NA [X] NAP	[] NA [X] NAP

024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

Comments - If yes, please specify the exact criteria for denying legal aid:

025. Is the decision to grant or refuse legal aid taken by:

the judge(s) dealing with the main case

another judge or official

an authority external to the court

several authorities (court and external bodies)

Comments

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If no, please specify how legal costs are distributed:

B1. Please indicate the sources for answering the questions in this part

Sources: The data prepared by the High Judicial Council of Bosnia and Herzegovina and the legislation on free legal aid system in Bosnia and Herzegovina.

2.2. Court users and victims

2.2.1 Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, Judicial Council etc.) where

general public may have free-of-charge access to the following:

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	(X) http://www.sluzbenilist.ba/Docs/index/bih ; https://www.parlament.ba ; https://www.narodnaskupstinars.net	()
Case-law of the higher court/s	(X) https://www.ustavisud.ba/en/home ; https://csd.pravosudje.ba	()
Information about the judicial system (organisation of courts, court proceedings, etc)	(X) https://vstv.pravosudje.ba/vstvfo/B/141	()
Other documents (e.g. forms, downloadable forms, online registration forms)	(X) https://pravosudje.ba/vstvfo/B/10001 ; https://mprcentar.org/index.php/sr-rs/ ; http://www.vladatk.kim.ba/uprave-i-upravneorganizacije/samostalne-upravneorganizacije/kantonalnizavodza-pruzanje-pravne-pomoci ; http://www.kppbd.ba/about/?cid=2,2,1 ; https://zbpp.ks.gov.ba/	()

Comment - Please specify what documents and information are included in "Other documents"

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?

() Yes, always

(X) No

() Yes, only in some specific situations

Comment - If "Yes, only in some specific situations", please specify:

030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:

Information system

General for citizens	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input checked="" type="checkbox"/> Other <input type="checkbox"/> No
Specific for victims of offences	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input checked="" type="checkbox"/> Other <input type="checkbox"/> No
Specific for minors (child-friendly systems)	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input checked="" type="checkbox"/> Other <input type="checkbox"/> No

Comments - Please provide more information on these systems and specify how this assistance is provided: The information systems are available to citizens, victims of offences and witnesses.

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of terrorism	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Minors (witnesses or victims)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of domestic violence	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ethnic minorities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Persons with disabilities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Juvenile offenders	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "Other vulnerable person" and/or "Other specific arrangements", please specify:

031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?

Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)

- Special room in court designated for child-friendly hearings
- Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- Special ways to communicate and explain meaning of court decisions
- Interagency/multidisciplinary structure such as “Children's Houses”
- Other, please specify
- NAP

Comment

031-1. What are the main criteria for a person under 18 years of age to act in court proceedings or to be a witness?

	Civil proceedings	Criminal proceedings
Capacity to initiate a proceeding and take other procedural actions in his/her own name	<input checked="" type="checkbox"/> Age threshold [Comment]18 <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Age threshold [Comment]14 <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP
To be a witness	<input type="checkbox"/> Age threshold [Comment] <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comments - Please specify if you selected “Other”. The age of majority in Bosnia and Herzegovina is set at 18 years old.

031-2. If a person under 18 years of age cannot act in court proceedings in his/her own name, who can represent him/her in judicial proceedings?

	Civil proceedings	Criminal proceedings
Parent/legal guardian	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No
Another representative (instead of parent/legal guardian)	<input checked="" type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input checked="" type="checkbox"/> Other

Comment

031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)

- Age threshold(s)

Capacity for discernment

Other criteria

Comment

031-3-1. What is the age threshold for the criminal liability of minors?

Criminal liability resulting in sentence without privation of liberty (for example, educational measures)

[14]

NA

NAP

Criminal liability resulting in sentence of privation of liberty

[14]

NA

NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how?

-

032. Does your country allocate compensation for victims of offences?

Yes, but only if the offender is unknown

Yes, but only if compensation could not be obtained from the offender

Yes, in both situations

No

Comment

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

034. Is there a regular monitoring (official studies, reports etc.) allowing the evaluation of the recovery rate of the damages awarded by courts to victims?

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?

Yes

No

Comments - If yes, please specify:

035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?

Yes

No

Comment - If yes, please specify:

=

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

Yes

() No

[] NAP

Comment - If necessary, please specify:

037. Is there a system of compensation in the following circumstances:

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
Total	5 236 [] NA [] NAP	906 [] NA [] NAP	603 800 [] NA [] NAP
Excessive length of proceedings	357 [] NA [] NAP	683 [] NA [] NAP	276 758 [] NA [] NAP
Non-execution of court decisions	117 [] NA [] NAP	45 [] NA [] NAP	7 641 [] NA [] NAP
Wrongful arrest/detention	205 [] NA [] NAP	39 [] NA [] NAP	319 400 [] NA [] NAP
Wrongful conviction	368 [] NA [] NAP	18 [] NA [] NAP	0 [] NA [] NAP
Other	4 189 [] NA [] NAP	121 [] NA [] NAP	0 [] NA [] NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g., the amount per day for unjustified detentions or convictions): The Constitutional Court of Bosnia and Herzegovina reported that the influx of cases at the Constitutional Court of BiH varies from year to year. Depending on the influx, other data on cases of the Constitutional Court of Bosnia and Herzegovina also vary. The Constitutional Court of BiH could not give an answer as to what factors influenced that figure. In previous years, the only thing that was evident was that cases involving the length of court procedures and the non-enforcement of court decisions had an effect on the total number of incoming cases. This was not the case in 2022, due to the fact that a certain number of these cases were processed by courts within the new legislative framework that regulates the protection of the right to a trial within reasonable time. According to the Constitutional Court of BiH, most of their cases concern allegations regarding the violation of the right to a fair trial (Article 6 of the European Convention) and the right to property (Article 1 of Protocol No. 1 to the European Convention) as well as cases in which the Constitutional Court of BiH is petitioned to proceed as a court of the fourth instance. A legislative framework that regulates the protection of the right to a trial within reasonable time, according to which the courts act, has been established in one part of the jurisdiction in Bosnia and Herzegovina. According to this legal framework, the party has two options: to file a motion for procedure expedition to the court processing the case for which expedition is requested or file a complaint with the highest court in respective jurisdictions to determine the violation of the right to a trial within reasonable time, which requires the determination of financial compensation. In other parts of the jurisdiction of BiH, the establishment of this legislative framework is underway. When it comes to the number of motions to expedite case resolution, a total of 154 motions were filed to the courts in 2022. In 2022, the courts granted 39 and denied/dismissed 76 motions of the parties. In addition, the courts received 15 claims for damages last year. In 7 cases, the courts decided to award compensation to the plaintiffs, while they rejected the lawsuit with a claim for damages in 5 cases.

The Institution of Human Rights Ombudsman of Bosnia and Herzegovina (the Ombudsman) handles complaints related to malfunctioning of public authorities or to human rights violations committed by any public institution in Bosnia and Herzegovina. In performing its competences the Ombudsman cannot decide on compensation for determined human rights violations. There is no strict deadline for handling complaints. In cases where violation of rights is established, the Ombudsman issues recommendation to competent public institutions to undertake measures to restore human rights violation or poor functioning of administration. The Institution also provides assistance to citizens how to use the most adequate legal remedies or advises them which institution to address. The Ombudsman received

347 complaints against courts in 2022; the structure of the complaints was as follows: 29 complaints alleging excessive length of proceedings, 22 complaints alleging ineffective enforcement of court decisions, 12 complaints against judges for violation of procedural laws, 2 complaints against the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and 282 complaints related to the violation of other rights related to court procedure. In 2022 the Ombudsman issued 67 recommendations to the courts. These statistics are not included in the data prepared for Question 156, as the Ombudsman does not have the authority to determine compensation for damages caused to complainants of the work of courts and other institutions.

037-1. Please specify which authorities are responsible for dealing with the requests and whether a legal time limit exists to deal with these requests:

	Responsible authorities	Legal time limit
Court concerned	[]	[]
Other court	[X]	[X]
Ministry of Justice	[X]	[X]
High Judicial Council	[]	[]
Other external bodies (e.g. Ombudsman)	[]	[]

Comments

037-2. Are there statistical data disaggregated by gender concerning the number of:

	Existence of statistical data disaggregated by gender
Persons who initiate a case in other than criminal matters	(X) Yes - If yes, please specify for which categories of cases: [Comment]Please see data in the Comment section. () No [] NA
Victims recognised as such by the court	(X) Yes - If yes, please specify for which types of offences: [Comment]Please see data in the Comment section. () No [] NA
Perpetrators of criminal offences	(X) Yes - If yes, please specify for which types of offences: [Comment]Please see data in the Comment section. () No [] NA

Comments First

instance civil litigious cases initiated in 2022 - Plaintiffs: 61% (Male), 39% (Female).

First instance civil litigious cases initiated in 2022 - Defendants: 62% (Male), 38% (Female).

First instance administrative cases initiated in 2022 - Plaintiffs: 75% (Male), 25% (Female).

First instance criminal cases - Defendants: 91% (Male), 9% (Female).

First instance criminal cases Injured by Criminal Offence: 67% (Male), 33% (Female).

037-3. Are there statistical data on the relation between the perpetrator of the criminal offence and the victim recognised by the court?

(X) Yes

() No

If yes, please specify: Starting from 1 January 2021, the courts in the Case Management System (the CMS), record a new category „Relationship between the victim and the perpetrator“ (e.g. whether there is some kind of family relationship between them: blood relationship, in-law relationship, spouse/common law spouse, etc.) and only in criminal cases of violence against women, gender/based violence and domestic violence, as well as minor offence cases of domestic violence.

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?

	National level	Court level
Surveys for judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other professionals	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for minors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Other not mentioned	<input type="checkbox"/> Annual	<input type="checkbox"/> Annual
	<input type="checkbox"/> Other regular	<input type="checkbox"/> Other regular
	<input type="checkbox"/> Ad hoc	<input type="checkbox"/> Ad hoc

NA

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: The High Judicial and Prosecutorial Council of Bosnia and Herzegovina (the HJPC BiH) within the project activities has developed a mechanism for polling of citizens on a local level into prosecutor's offices websites that are on pravosudje.ba domain. The survey is anonymous and examines four areas: availability of information on the work of the prosecutor's office, website of the prosecutor's office, treatment of users / visitors of the prosecutor's office, competence and quality of work of the prosecutor's office. The survey was in use in each prosecutor's office in Bosnia and Herzegovina during the year 2022. Given that court respondents' perception of the judiciary is an important indicator of its independence, accountability and transparency, the HJPC BiH conducted a survey on court user satisfaction within the framework of the Judicial Capacities Building project. The data and the findings of this survey are an important part of the methodology for self-assessment of one's own judicial system. This self-assessment will be used, among other things, to identify the strengths and weaknesses in the work of the court in order to continuously upgrade the services provided and increase user confidence in the administration of justice. The questionnaire was created in accordance with the European Network of Councils for the Judiciary standards and guidelines. The research objectives are: 1. Identifying and formulating the level of confidence in the work of the courts, court user satisfaction and respondents' attitudes towards the HJPC BiH as a judicial regulatory body. 2. Identifying and formulating key recommendations based on the results of this research in order to improve identified shortcomings and increase user trust in providing access to justice. The target groups included in the survey are users of the courts - (parties directly involved in the proceedings, witnesses and other users who request a specific service from the court). The methodology used in this research entails the gathering of necessary data using the following quantitative research methods: Face-to-Face interviews using Computer-Aided Personal Interviewing, Face-to-Face interviews, and Computer-assisted telephone interviewing. The surveys were conducted on a total sample of 2,100 respondents– users of municipal/basic court services in Banja Luka, Bijeljina, Mostar, Sarajevo, Tuzla and Zenica (350 respondents per court). This survey was conducted during the period April-September 2023. The analysis of Court user survey results will be finalized at the end of October 2023.

In January and February 2023, a Survey on the satisfaction of users of the Judicial Decisions' Database was conducted. Survey was conducted on the national level and in cooperation with the Advice on Individual Rights in Europe Center. Participant in Survey were judges and prosecutors from all levels of authority, courts and prosecutor offices staff, lawyers, journalists, NGO employees and university professors. Survey was conducted with the goal of collecting opinions of users, to evaluate needs and identify shortcomings from users' perspective, and to assess future needs for education and development of Judicial Decisions' Database.

3. Organisation of the court system

3.1. Courts

3.1.1 Number of courts

042. Number of courts - legal entities.

	Number of courts
Total number of all courts - legal entities (1 + 2)	82 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	75 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.1 First instance courts of general jurisdiction - legal entities	55 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1.2 Second instance courts of general jurisdiction - legal entities	17 [] NA [] NAP
1.3 Highest instance courts of general jurisdiction - legal entities	3 [] NA [] NAP
2 Total number of specialised courts - legal entities	7 [] NA [] NAP

Comments A new first instance court of general jurisdiction has been established in the area of territorial jurisdiction of another previously established court.

043. Number of specialised courts – legal entities.

	First instance	Higher instances
Total number of specialised courts - legal entities	6 [] NA [] NAP	1 [] NA [] NAP
Commercial courts (excluded insolvency courts)	6 [] NA [] NAP	1 [] NA [] NAP
Insolvency courts	[] NA [X] NAP	[] NA [X] NAP
Labour courts	[] NA [X] NAP	[] NA [X] NAP
Family courts	[] NA [X] NAP	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP	[] NA [X] NAP
Administrative courts	[] NA [X] NAP	[] NA [X] NAP
Insurance and / or social welfare courts	[] NA [X] NAP	[] NA [X] NAP
Military courts	[] NA [X] NAP	[] NA [X] NAP

Juvenile courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other specialised courts", please specify:

044. Number of courts - geographic locations.

	Number of courts (geographic locations)
First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)	82 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	103 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

C. Please indicate the sources for answering the questions in this part

Sources: The legislation regulating the organization of the court system in Bosnia and Herzegovina.

3.2. Court staff

3.2.1 Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	1 000 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	352 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	648 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Number of first instance professional judges	652 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	242 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	410 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Number of second instance (court of appeal) professional judges	234 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	70 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	164 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Number of Supreme Court professional judges	114 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	40 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	74 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comment - Please provide any useful comment for interpreting the data above:

=

046-1-1. Does your system allow part-time work for professional judges with proportionally reduced remuneration?

Yes

No

Comments

046-1-2. If yes, please specify in which situation(s) part-time work can be granted (multiple replies possible).

Child-care

Elderly care or other dependant persons' care

Training

For the purposes of early retirement

No specific reason required

Other reason, please specify:

Comments

046-1-3. If yes, what is the number of professional judges working part-time with reduced remuneration?

	Total	Males	Females
Total (1 + 2 + 3)	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

046-1-4. Are there other possibilities (apart from part-time) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Temporary reduction of the working time / special leave	() Yes (X) No
Other measures	() Yes (X) No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

046-1-5. If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new judges
- No specific reason required
- Other reason, please specify:
- NAP

Comments

=

046-2. Number of judges (FTE) by case type:

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	1 000 [] NA [] NAP	633 [] NA [] NAP	293 [] NA [] NAP	74 [] NA [] NAP	[] NA [X] NAP
First instance	652 [] NA [] NAP	462 [] NA [] NAP	189 [] NA [] NAP	1 [] NA [] NAP	[] NA [X] NAP
Second instance	234 [] NA [] NAP	141 [] NA [] NAP	54 [] NA [] NAP	39 [] NA [] NAP	[] NA [X] NAP
Supreme Court	114 [] NA [] NAP	30 [] NA [] NAP	50 [] NA [] NAP	34 [] NA [] NAP	[] NA [X] NAP

If "Other", please explain which types of cases:

=

047. Number of court presidents .

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	79 [] NA [] NAP	33 [] NA [] NAP	46 [] NA [] NAP
1. Number of first instance court presidents	58 [] NA [] NAP	24 [] NA [] NAP	34 [] NA [] NAP

2. Number of second instance (court of appeal) court presidents	18 [] NA [] NAP	8 [] NA [] NAP	10 [] NA [] NAP
3. Number of Supreme Court presidents	3 [] NA [] NAP	1 [] NA [] NAP	2 [] NA [] NAP

Comments

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible, on 31 December of the reference year):

	Figure
Gross figure	58 [] NA [] NAP
In full-time equivalent	[] NA [X] NAP

Comments - If necessary, please provide comments to explain the answer provided:

048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

- () Yes If yes, please give specifications on the types of cases and an estimate in percentage.
- (X) No
- [] NAP

Comments

049. Number of non-professional judges who are not remunerated but who may receive a simple defrayal of costs (if possible, on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting on a jury):

	Figure
Gross figure	154 [] NA [] NAP
In full time equivalent	[] NA [X] NAP

Comments In 2022, the trend of decreasing the number of non-professional judges continued, in line with a decrease in the number of old pending criminal cases in courts.

049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:

Yes	No	Echevinage / mixed bench
-----	----	--------------------------

Criminal cases (severe)	()	()	(X)
Criminal cases (misdemeanour and/or minor)	()	()	(X)
Family law cases	()	(X)	()
Labour law cases	()	(X)	()
Social law cases	()	(X)	()
Commercial law cases	()	(X)	()
Insolvency cases	()	(X)	()
Other civil cases	()	(X)	()

NAP

Comments - If "Other civil cases", please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

() Yes

(X) No

Comments

050-1. If yes, for which type(s) of case(s)?

Criminal cases

Other than criminal cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[]

NA

NAP

Comments

052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	3 449 <input type="checkbox"/> NA <input type="checkbox"/> NAP	873 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 576 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Rechtspfleger (or similar bodies) (see Explanatory Note)	94 [] NA [] NAP	23 [] NA [] NAP	71 [] NA [] NAP
2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)	1 186 [] NA [] NAP	117 [] NA [] NAP	1 069 [] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	1 789 [] NA [] NAP	528 [] NA [] NAP	1 261 [] NA [] NAP
4. Technical staff	380 [] NA [] NAP	205 [] NA [] NAP	175 [] NA [] NAP
5. Other non-judge staff	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "Other non-judge staff", please specify:

052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled).

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	3 449 [] NA [] NAP	873 [] NA [] NAP	2 576 [] NA [] NAP
1. Total non-judge staff working in courts at first instance level	2 621 [] NA [] NAP	661 [] NA [] NAP	1 960 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	525 [] NA [] NAP	123 [] NA [] NAP	402 [] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	303 [] NA [] NAP	89 [] NA [] NAP	214 [] NA [] NAP

Comments

=

053. If there are Rechtspfleger (or similar bodies), please specify in which fields they have a role:

- Legal aid
- Family cases
- Payment orders
- Registry cases (land and/or business registry cases)

- Enforcement of civil cases
- Enforcement of criminal cases
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and exact duties: Other cases not mentioned: small claims cases.

054. Have the courts outsourced certain services under their responsibilities to external providers?

- Yes
- No

Comments Relatively small number of the courts (i. e. 21 courts) delegated ancillary services to private companies in 2022.

054-1. If yes, please specify which services have been outsourced:

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify):

Comments - If “Other types of services”, please specify: Audio and video recording, various types of maintenance (elevator servicing, fire protection, pest control, disinfection, plumbing maintenance, heating system, cars, computer equipment, roof, doors and windows).

NA

C1. Please indicate the sources for answering the questions in this part

Sources: Q053: The relevant legislation on the court system in Bosnia and Herzegovina.
 Q054: The information obtained from courts by the High Judicial of Prosecutorial Council of Bosnia and Herzegovina.

3.3. Public prosecution

3.3.1 Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled.)

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	358 <input type="checkbox"/> NA <input type="checkbox"/> NAP	175 <input type="checkbox"/> NA <input type="checkbox"/> NAP	183 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of prosecutors at first instance level	275 <input type="checkbox"/> NA <input type="checkbox"/> NAP	132 <input type="checkbox"/> NA <input type="checkbox"/> NAP	143 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2. Number of prosecutors at second instance (court of appeal) level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Number of prosecutors at Supreme Court level	83 <input type="checkbox"/> NA <input type="checkbox"/> NAP	43 <input type="checkbox"/> NA <input type="checkbox"/> NAP	40 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate any useful comment for interpreting the data above:



=

055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?

Yes

No

Comments

055-1-2. If yes, please specify in which situation(s) part-time work can be granted? (multiple replies possible)

Child-care

Elderly care or other dependant persons' care

Training

For the purposes of early retirement

No specific reason required

Other reason, please specify:

Comments

055-1-3. If yes, what is the number of prosecutors working part-time with reduced remuneration?

	Total	Males	Females
Total (1 + 2 + 3)	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

055-1-4. Are there other possibilities (apart of part-time work) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	() Yes (X) No
Temporary reduction of the working time / special leave	() Yes (X) No
Other measures	() Yes (X) No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

055-1-5 . If yes, please specify in which situation(s) these possibilities can be used?

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new prosecutors
- No specific reason required
- Other reason, please specify:
- NAP

Comments

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	18 [] NA [] NAP	10 [] NA [] NAP	8 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	16 [] NA [] NAP	8 [] NA [] NAP	8 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Number of heads of prosecution offices at Supreme Court level	2 [] NA [] NAP	2 [] NA [] NAP	0 [] NA [] NAP

Please provide any useful comment for interpreting the data above:

057. In your judicial system, do other persons have similar duties to those of public prosecutors?

- () Yes
- (X) No

Comments - If yes, please specify their titles and functions:

057-1. If yes, please provide the number (in full-time equivalent):

[0]

[] NA

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

() Yes

() No

[] NAP

Comments

059-1. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?

	-
Domestic violence	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Sexual violence	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify

=

060. Number of staff (non-public prosecutors) attached to the public prosecution services, if possible, on 31 December of the reference year and without the number of non-judge staff, see question 52 (in full-time equivalent and for posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	750 [] NA	211 [] NA	539 [] NA

Comment – please describe which categories of staff you have included in your reply:

C2. Please indicate the sources for answering the questions in this part

Sources:

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	(X)	()
prosecutors	(X)	()
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify:

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	(X)	()
prosecutors	(X)	()
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

Comments - If the situation changed since the reference year or you have additional comments, please specify:

061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:

Yes / No

<p>Court president</p>	<p>(X) Yes If “yes”, please specify:[Comment]The Law on High Judicial and Prosecutorial Council of Bosnia and Herzegovina pinpoints the criteria for recruitment and promotion of judges and prosecutors. The Law makes it obligatory for the High Judicial and Prosecutorial Council of Bosnia and Herzegovina that appointments to all levels of the judiciary should also have, as an objective, the achievement of equality between women and men. The Law applies to all appointments and promotions of court presidents, chief prosecutors, judges, and prosecutors.</p> <p>() No</p>
<p>Head of prosecution services</p>	<p>(X) Yes If “yes”, please specify:[Comment]The Law on High Judicial and Prosecutorial Council of Bosnia and Herzegovina pinpoints the criteria for recruitment and promotion of judges and prosecutors. The Law makes it obligatory for the High Judicial and Prosecutorial Council of Bosnia and Herzegovina that appointments to all levels of the judiciary should also have, as an objective, the achievement of equality between women and men. The Law applies to all appointments and promotions of court presidents, chief prosecutors, judges, and prosecutors.</p> <p>() No</p>

Comments

3.4.2 At national level

061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?

(X) Yes

() No

Attachments

 Strategy HJPC BaH.pdf

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us? In October 2020, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted the Strategy on Improving Gender Equality in the Judiciary of Bosnia and Herzegovina, based on which all judicial institutions will prepare their implementation plans.

The Strategy is available here: <https://pravosudje.ba/vstvfo/E/141/article/95500> The Strategy was created within the Project Improving Court Efficiency and Accountability of Judges and Prosecutors in BiH - Phase 2, financed by the Government of Sweden, in cooperation with the Swedish National Courts Administration, as the coordinator of gender mainstreaming activities in the courts of Sweden and

HJPC's long-term partner.

In 2021, the HJPC has carried out the piloting phase of implementation of the Strategy on Improving Gender Equality in the Judiciary of BiH, in order to create good practices, which will be applied to other judicial institutions.

The piloting phase of implementation of the Strategy was carried out in four judicial institutions in the period March – October 2021.

In cooperation with pilot judicial institutions and Swedish experts, the HJPC has commenced the preparation of activities, with the purpose of implementing the Strategy in the entire judiciary of BiH, within the Project Improving Court Efficiency and Accountability of Judges and Prosecutors in BiH - Phase 3.

The HJPC will provide support to judicial institutions in the process of preparation of their implementation plans and will regularly monitor their realization by judicial institutions.

In 2022, the HJPC has organized seven workshops for all judicial institutions, aimed at providing knowledge necessary for the creation of action plans for the implementation of the Strategy on Improving Gender Equality in the Judiciary of BiH.

The workshops were carried out in partnerships with the Swedish National Courts Administration, Swedish experts and the ambassadors from pilot judicial institutions.

In addition, the HJPC has provided support to judicial institutions in the process of preparation of their action plans for the implementation of the Strategy, which was followed by their assessment and adoption.

As a result, the judicial institutions have commenced implementing their action plans in 2022, whilst the HJPC will regularly monitor their realization.

The Strategy is available here: <https://pravosudje.ba/vstvfo/E/141/article/95500>

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner) / institution dealing with gender issues in the justice system concerning:

	Yes, please specify	No
The recruitment of judges	()	(X)
The promotion of judges	()	(X)
The recruitment of prosecutors	()	(X)
The promotion of prosecutors	()	(X)
The recruitment of non-judge staff	()	(X)
The promotion of non-judge staff	()	(X)

Comments - Please specify the status of this person/institution and if it has a consultative function or if its opinions/decisions have legal consequences:

3.4.3 At court/public prosecution services level

061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work?

	Yes	No
in courts (judges)	()	(X)
in public prosecution services (prosecutors)	()	(X)

for courts' non-judge staff

()

(X)

Comments - Please specify the details of this person/institution, in particular its titles and function:

061-9. In order to improve gender balance in access to different judicial professions and gender equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) :

are planned (please specify) :

Comments - If the situation changed since reference year, please specify in the comments.

[X] NAP

061-10. Are there evaluation studies or official reports regarding the main causes of possible gender inequalities with regard to:

- Recruitment procedures, please specify:
- Appointment to the position of court president, please specify:
- Appointment to the position of head of prosecution services, please specify:
- Promotion procedures and access to the functions of responsibility, please specify:
- Other studies, please specify:

[X] NAP

Comments - Please specify also the reference documents.

3.5. Use of information technologies in courts

3.5.1 Governance

ICT STRATEGY

062-01. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?

() Yes

(X) No

Comments The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has formed a working group to draft a medium-term

strategy for the development and implementation of information technologies in the judiciary.

062-02. If there is an overall ICT strategy in the judicial system, who was involved in the process of its definition?

- Judges (Judicial council)
- Prosecutors (Prosecutorial or judicial council)
- Ministry of justice
- Lawyers (bar association)
- Notaries (association of notaries)
- Enforcement agents (association of enforcement agents)
- Other (please specify)
- NA
- NAP

Comments

LEGISLATION

062-03. Does a national legislation/regulation of ICT in the judicial system exist?

- Yes
- No

Comments

062-04. If yes, how is this legislation/regulation of ICT in the judicial system structured?

- Relevant norms are included in the general e-government legislation/regulation
- Relevant norms are included in specific legislation/regulation only for the judicial system
- Relevant texts are included in dedicated technical documents/specifications
- Other, please specify
- NA

Comment - If more than one of the proposed models exist in your country, please select them all and explain the details

- NA

IMPACT OF IMPLEMENTATION OF ICT SYSTEMS

062-05. Have you already organised audits/evaluations/assessments of the impact of the implementation of the ICT system?

- Yes
- No

Comments

062-06. If these audits/evaluations/assessments were already organised, please specify their modalities:

	Format	Last conducted audit
ICT Governance	<input type="checkbox"/> Internal <input checked="" type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input checked="" type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Security and risk management	<input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on efficiency and quality of the business processes and workflow	<input type="checkbox"/> Internal <input type="checkbox"/> External <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on human resources (number, workload, wellbeing)	<input type="checkbox"/> Internal <input type="checkbox"/> External <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Other, please specify in comments	<input type="checkbox"/> Internal <input type="checkbox"/> External <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation. In 2019, an external audit firm conducted a Risk Assessment of the Judicial Information System of Bosnia and Herzegovina. Based on the recommendations from the audit report, audits of the JIS controls in five judicial institutions were also conducted. The last organized evaluation was a part of the ISO 27001 and ISO 20000 implementation, where we conducted a risk assessment and adopted risk treatment plan. This evaluation was conducted internally.

062-07. If these audits/evaluations/assessments were organised in the last 5 years, how did you apply their recommendations/results?

- Update applications
- Define new ICT projects/modules
- Adjust legislation

- Adjust working processes
- Withdraw/stop use of a module/application
- Reporting purpose only
- Other, please specify
- NA
- NAP

Comments

3.5.2 Electronic case processing

ELECTRONIC SUBMISSION OF CASES

062-08. If it is possible to submit a case to a court electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA

Comments Civil Cases:

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has deployed the System for electronic filing of enforcement and small claims cases in all of the first instance courts (i.e. civil cases), that use it to register the new cases and receive documentation in the existing cases the utility companies submit electronically. It is important to note that the cases may be transferred from the System to the general case management system in courts, if certain procedural requirements have been met.

However, the use of the System is optional for utility companies. Accordingly, the utility companies in certain local communities are yet

to begin to send cases to the courts electronically.

Deployment Rate_ reasoning: As for 2022, all 61 competent courts in Bosnia and Herzegovina have the aforementioned System. The number of new court cases registered through the System in the reporting year was 104.990, whereas the utility companies submitted additional documentation in 163.259 cases in that year. The number of pending cases in the System at the end of 2022 was 1.387.363. Bearing in mind that the total number of new relevant cases received in the courts of first instance was 1 114 918 in 2022 (i.e. Q91, Civil + Non litigious cases), the deployment rate was 1-25% (Q062-08, Q062-10). Usage Rate_ reasoning: 60% courts out of the aforementioned number of first instance courts registered new cases and/or received documentation in the existing cases using the System. Consequently, the usage rate was 50-75% (Q062-08, Q062-10).

062-09. If it is possible to submit a case to a court electronically, please specify the modalities:

	Electronic or paper	Possible to be submitted electronically by:	Data integration
Civil	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Criminal	<input type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
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Comments

SENDING ELECTRONIC DOCUMENTS TO COURT

062-10. If it is possible to send case-related documents to the courts electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA

Criminal	<input type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input checked="" type="checkbox"/> NAP - electronic delivery is not possible	<input checked="" type="checkbox"/> NAP - electronic delivery is not possible
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comments Civil Cases:

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has deployed the System for electronic filing of enforcement and small claims cases in all of the first instance courts (i.e. civil cases), that use it to register the new cases and receive documentation in the existing cases the utility companies submit electronically. It is important to note that the cases may be transferred from the System to the general case management system in courts, if certain procedural requirements have been met.

However, the use of the System is optional for utility companies. Accordingly, the utility companies in certain local communities are yet to begin to send cases to the courts electronically.

Deployment Rate_ reasoning: As for 2022, all 61 competent courts in Bosnia and Herzegovina have the aforementioned System. The number of new court cases registered through the System in the reporting year was 104.990, whereas the utility companies submitted additional documentation in 163.259 cases in that year. The number of pending cases in the System at the end of 2022 was 1.387.363. Bearing in mind that the total number of new relevant cases received in the courts of first instance was 1 114 918 in 2022 (i.e. Q91, Civil + Non litigious cases), the deployment rate was 1-25% (Q062-08, Q062-10). Usage Rate_ reasoning:

60% courts out of the aforementioned number of first instance courts registered new cases and/or received documentation in the existing cases using the System. Consequently, the usage rate was 50-75% (Q062-08, Q062-10).

062-11. If it is possible to send electronically case related documents to the courts, please specify the modalities:

	Electronic or paper	Possible to be submitted electronically by:	Data integration
Civil	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input checked="" type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details.

ELECTRONIC NOTIFICATIONS

062-12. If it is possible for courts to send electronic notifications, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Comments

062-13. If it is possible for courts to send electronic notifications, please specify the modalities:

	Electronic or paper	Type of notification	Data integration
Civil	<input type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input checked="" type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details.

CONSULTATION OF A CASE ONLINE

062-14. If it is possible for external users to consult a case online, what are the deployment and usage rates?

Deployment rate	Usage rate
-----------------	------------

Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA

Comments The electronic consultation of court case files for the parties is possible in civil and administrative matters. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina approves the requests of parties in court cases for the issuance of a uniform access code. Detailed requirements for issuing the code are prescribed by the Rulebook on the Case Management System in Courts, which is adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The code can be used in the Online Case Access Module to get case information. The access through the Module is available to parties in court proceedings and their lawyers. The Module can be accessed through the website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, lawyers can also use the mobile app to access cases in which they represent their clients. This is an official app developed by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. If the parties have multiple cases in the courts, they must apply for a single access code for each of these cases, but they are provided with a possibility to create a user account that allows access to all these cases in one place. The same possibility is given to lawyers for all civil and administrative cases in which they represent their clients.

062-15. If it is possible for external users to consult a case online, please specify the modalities:

Content	Access	Consultation format
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Civil	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Case status <input type="checkbox"/> Documents <input type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Other”, please specify details. The electronic consultation of court case files for the parties is possible in civil and administrative matters. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina approves the requests of parties in court cases for the issuance of a uniform access code. Detailed requirements for issuing the code are prescribed by the Rulebook on the Case Management System in Courts, which is adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The code can be used in the Online Case Access Module to get case information. The access through the Module is available to parties in court proceedings and their lawyers. The Module can be accessed through the website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, lawyers can also use the mobile app to access cases in which they represent their clients. This is an official app developed by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. If the parties have multiple cases in the courts, they must apply for a single access code for each of these cases, but they are provided with a possibility to create a user account that allows access to all these cases in one place. The same possibility is given to lawyers for all civil and administrative cases in which they represent their clients.

REMOTE HEARINGS

062-16. If it is possible to organise remote hearings what are the deployment and usage rates?

Deployment rate	Usage rate
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Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA

Comments

062-17. If it is possible to organise remote hearings, please specify the functionalities and modalities:

Functionalities	Modalities
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<p>Civil</p>	<p><input type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input checked="" type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input type="checkbox"/> Agreement of the parties is needed</p> <p><input type="checkbox"/> The judge can impose a remote hearing</p> <p><input checked="" type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>
<p>Administrative</p>	<p><input type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input checked="" type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input type="checkbox"/> Agreement of the parties is needed</p> <p><input type="checkbox"/> The judge can impose a remote hearing</p> <p><input checked="" type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>

Criminal	<input type="checkbox"/> Dedicated tool specially designed for the use by courts <input checked="" type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input checked="" type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input checked="" type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Agreement of the parties is needed <input type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA
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Comments

ELECTRONIC ARCHIVES



062-18. If electronic archives of cases exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA

Criminal	<input type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input checked="" type="checkbox"/> NAP - electronic archives do not exist	<input checked="" type="checkbox"/> NAP - electronic archives do not exist
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comments

062-19. If an electronic archive of cases exists, please specify the modalities:

	Electronic or paper
Civil	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input checked="" type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA

Comments

3.5.3 Tools

CASE MANAGEMENT SYSTEMS (CMS)

062-20. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA

Comments

062-21. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

Functionalities

<p>Civil</p>	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input checked="" type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input type="checkbox"/> Case weighting</p> <p><input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input type="checkbox"/> Anonymisation of decisions to be published</p> <p><input type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input type="checkbox"/> Electronic signature</p> <p><input checked="" type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>
<p>Administrative</p>	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input checked="" type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input type="checkbox"/> Case weighting</p> <p><input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input type="checkbox"/> Anonymisation of decisions to be published</p> <p><input type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input type="checkbox"/> Electronic signature</p> <p><input checked="" type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, because of its importance please specify details. There is an interoperability function between the Case Management System and the database of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, through which the two systems are connected ensuring exchange of data between police agencies and courts. Namely, courts, when registering new cases, take the personal data of the parties in those cases from the database of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, if the information on Unique Master

Citizen Number of the parties in new cases is available to them. This information is then automatically displayed in the Case Management System. In this way, data from the official register for citizens in Bosnia and Herzegovina are registered into the Case Management System.

In addition, the electronic consultation of court case files for the parties is possible in civil and administrative matters. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina approves the requests of parties in court cases for the issuance of a uniform access code. Detailed requirements for issuing the code are prescribed by the Rulebook on the Case Management System in Courts, which is adopted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The code can be used in the Online Case Access Module to get case information. The access through the Module is available to parties in court proceedings and their lawyers. The Module can be accessed through the website of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. In addition, lawyers can also use the mobile app to access cases in which they represent their clients. This is an official app developed by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. If the parties have multiple cases in the courts, they must apply for a single access code for each of these cases, but they are provided with a possibility to create a user account that allows access to all these cases in one place. The same possibility is given to lawyers for all civil and administrative cases in which they represent their clients.

062-22. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	Functionalities
Criminal	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input checked="" type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input type="checkbox"/> Anonymisation of decisions to be published <input checked="" type="checkbox"/> Interoperability with prosecution system <input type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Protected log files <input type="checkbox"/> Electronic signature <input checked="" type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details. There is an interoperability function between the Case Management System and the database of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, through which the two systems are connected ensuring exchange of data between police agencies and prosecution offices. Namely, prosecution offices, when registering new cases, take the personal data of the parties in those cases from the database of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, if the information on Unique Master Citizen Number of the parties in new cases is available to them. This information is then automatically displayed in the Case Management System. In this way, data from the official register for citizens in Bosnia and Herzegovina is registered into the Case Management System.

WRITING ASSISTANCE TOOLS



062-23. If writing assistance tools exist in courts, what are their deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Comments In the context of Bosnia and Herzegovina, writing tools are consisted of two groups of templates of various legal documents that can be used by judges, prosecutors and other staff (i.e. users) at the judicial institutions: (i) templates with headers and case details, which also include auto-generated text, and (ii) templates with headers and case details. Considering the needs of judges, prosecutors, and other staff it is estimated that that templates of 50 – 75% of relevant documents are made available in the Case Management System for all the users.

As for the usage rate, it is estimated that 50-75% of users are using the available templates.

The templates are developed by the judges and prosecutors selected by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. The templates are integrated into the Case Management System. The use of templates is optional.

062-24. If writing assistance tools exist in courts, please describe their functionalities:

Functionalities

Civil	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

RECORDING OF COURT HEARINGS

062-25. If a tool to record court hearings exists, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA

Comments

062-26. If a tool to record court hearings exist, please specify its functionalities:

	Functionalities
Civil	<input type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input checked="" type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input checked="" type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input checked="" type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

DATABASE OF COURT DECISIONS

062-27. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.

	Percentage of 1st instance decisions published	Percentage of 2nd instance decisions published	Percentage of Supreme court decisions published
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Comments

062-28. If there is a national database of court decisions, please specify the modalities in publishing these decisions:

	1st instance	2nd instance	Supreme court
Civil	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP- There is no database for these decisions <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> Published online (public website)	<input checked="" type="checkbox"/> Published online (public website)	<input checked="" type="checkbox"/> Published online (public website)
	<input type="checkbox"/> Published in an internal database	<input type="checkbox"/> Published in an internal database	<input type="checkbox"/> Published in an internal database
	<input type="checkbox"/> Other, please specify	<input type="checkbox"/> Other, please specify	<input type="checkbox"/> Other, please specify
	<input type="checkbox"/> NAP– There is no database for these decisions	<input type="checkbox"/> NAP– There is no database for these decisions	<input type="checkbox"/> NAP– There is no database for these decisions
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA

- If you have selected the option “Other” because the court decisions are published online in some other way than the presented modalities, please describe.

062-29. If there is a database of court decisions at national level, what are the functionalities of this database?

	Functionalities
Civil	<input type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input checked="" type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input checked="" type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input checked="" type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input checked="" type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input checked="" type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input checked="" type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details. Other special functionality: The database includes links between a final ruling in a case and the decisions of lower instance courts appealed by the parties in the proceedings.

STATISTICAL TOOLS

062-30. If there are statistical tools for analysing court case data, what is their deployment rate?

	Deployment rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

Comments

062-31. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:

	Functionalities	Data available for statistical analysis
Civil	<input checked="" type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input checked="" type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input checked="" type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input checked="" type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details

OTHER TOOLS

062-32. Is there any application for online court-related dispute resolution?

Yes

No

Comments

062-33. If yes, is there a maximum value over which online court-related dispute resolution cannot be organised?

- Yes, please specify the maximum value
- No

Comments

062-34. If yes, can the online court-related dispute resolution be used in the following areas?

- Small claim litigation
- Undisputed claim
- Payment order
- Misdemeanour criminal cases
- Enforcement of civil cases
- Other, please specify

Comment: Please describe the existing online procedures:

062-35. Is there a computerised national record centralising all criminal convictions?

- Yes
- No

Comments

062-36. If yes, please specify the following information:

- The computerised record includes biometric data (ex. fingerprint data, picture)
- The computerised record is linked to other European records of the same nature (ex. ECRIS)
- The content is directly available through computerised means for judges and/or prosecutors (ex. interoperability with the CMS)
- The content is directly available for purposes other than criminal (ex. civil and administrative matters)
- The record contains conviction information on third-country nationals and stateless persons

Comments

062-37. Is there a Document Management System (DMS) in the registry of courts?

- Yes
- No

Comment: If yes, please provide details on the purposes and usage of this system.

062-38. In addition to the tools listed in the ICT section of this questionnaire does your judicial system use other innovative ICT tools?

- Yes
- No

Comment: If yes, please list and describe these ICT tools.

3.6. Performance and evaluation

3.6.1 National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?

Yes

No

Comments - If yes, please specify:

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

	Yes / No
within the courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
within the public prosecution services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

3.6.2 Measuring court/public prosecution services

070. Do you regularly monitor court activities (performance and quality) concerning:

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

number of pending cases

backlogs

productivity of judges and court staff

satisfaction of court staff

satisfaction of users (regarding the services delivered by the courts)

costs of the judicial procedures

number of appeals

appeal ratio

clearance rate

disposition time

other (please specify):

Comments

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

- civil law cases
- criminal law cases
- administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

	Yes (If yes, please specify)	No
within the courts	(X)	()
within the public prosecution services	(X)	()

Comments

073. Do you have a system to evaluate regularly court performance based on the monitored indicators of question 70?

- (X) Yes
- () No

Comments

073-0. If yes, please specify the frequency:

- (X) Annual
- () Less frequent
- () More frequent

Comments - If "Less frequent" or "More frequent", please specify:

073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?

() Yes

(X) No

Comments

073-2. If yes, which courses of action are taken (multiple replies possible)?

- Identifying the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance)
- Reengineering of internal procedures to increase efficiency
- Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based on the monitored indicators of question 70-1?

(X) Yes

() No

Comments

073-4. If yes, please specify the frequency:

- (X) Annual
- () Less frequent
- () More frequent

Comments - If "less frequent" or "more frequent", please specify:

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?

() Yes

(X) No

Comments

073-6. If yes, which courses of action are taken (multiple replies possible)?

- Identifying the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance)
- Reengineering of internal procedures to increase efficiency
- Other (please specify):

Comments

=



079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?

- High Judicial Council
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify):

Comments

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?

- Public Prosecutorial Council
- Ministry of Justice
- Head of the organisational unit or hierarchically superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify):

Comments

3.6.3 Information regarding courts /public prosecution services activity

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?

- Yes (please indicate the name and the address of this institution):
- No

Comments The High Judicial and Prosecutorial Council of Bosnia and Herzegovina. Kraljice Jelene 88 Sarajevo.

080-1. Are the statistics on the functioning of each court published?

- Yes, on the internet (please provide the link)
- No, only internally (on an intranet website)
- No

Comments

=

080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

- Yes (please indicate the name and the address of this institution):
- No

Comments The High Judicial and Prosecutorial Council of Bosnia and Herzegovina. Kraljice Jelene 88 Sarajevo.

080-3. Are the statistics on the functioning of each public prosecution service published?

Yes, on the internet (please provide the link)

No, only internally (on an intranet website)

No

Comments

=

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is primarily intended):

081-1. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-2. If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

=

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. for whom the report is primarily intended):

081-4. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments

081-5. If yes, please, indicate the periodicity at which the report is released:

- Annual
- Less frequent
- More frequent

Comments

3.6.4 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

- Yes
- No

Comments

083-1. Who is responsible for setting these targets for each judge?

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example the High Judicial Council, Supreme Court)
- President of the court
- Other (please specify):
- NAP

Comments

083-1-1. What are the consequences for a judge if these targets are not met?

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
With disciplinary procedure	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
-	<input type="checkbox"/> No consequences
-	<input type="checkbox"/> NAP (no targets defined)

Comments

114. Is there a system of individual evaluation of the judges' work?

	Existence of a system of individual evaluation of the judges' work
Quantitative	(X) Yes () No
Qualitative	(X) Yes () No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

114-1. Please specify the frequency of this evaluation:

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify:
- NAP

=

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

- Yes
- No

Comments

083-3. Who is responsible for setting these targets for each public prosecutor?

- Executive power (for example the Ministry of Justice)
- Prosecutor General /State public prosecutor
- Public Prosecutorial Council
- Head of the organisational unit or hierarchically superior public prosecutor
- Other (please specify):the High Judicial and Prosecutorial Council of Bosnia and Herzegovina
- NAP

Comments

083-3-1. What are the consequences for a prosecutor if these targets are not met?

	Consequences:
Without disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input type="checkbox"/> NAP

With disciplinary procedure	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input type="checkbox"/> NAP
No consequences	<input type="checkbox"/> No consequences <input type="checkbox"/> NAP

Comments

120. Is there a system of individual evaluation of the public prosecutors' work?

	Existence of a system of individual evaluation of the public prosecutors' work
Quantitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Qualitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

120-1. Please specify the frequency of this evaluation:

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify:
- NAP

Comments

C4. Please indicate the sources for answering the questions in this part

Sources: The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

4. Fair trial

4.1. Principles

4.1.1 Principles of fair trial

084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?

[]
 NA

NAP

Comments - Please add methodology for calculation used.

085. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the judge is not impartial?

Yes

No

Comments - Please could you briefly specify:

085-1. If yes, what are:

	-
The total number of the initiated procedures in the reference year	558 <input type="checkbox"/> NA <input type="checkbox"/> NAP
The total number of recusals pronounced in the reference year	51 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please, could you briefly specify: 87% of procedures initiated during 2022 were resolved in the reference year. Out of the total number of initiated procedures in the reference year, the party's request for the recusal of the judge was accepted in 9% procedures.

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

For civil procedures (non-enforcement)

For civil procedures (timeframe)

For criminal procedures (timeframe)

NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations):

086-1. Is there in your country a possibility to review/reopen a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?

For civil cases

For criminal cases

For administrative cases

NAP

Comments

D1. Please indicate the sources for answering the questions in this part

Sources: Data collected from the courts. The legislation on the judicial system of Bosnia and Herzegovina. The information submitted by the Agent of the Council of Ministers of Bosnia and Herzegovina before the European Court of Human Rights.

4.2. Timeframe of proceedings

4.2.1 General information

087. Are there specific procedures for urgent matters regarding:

- civil cases
 criminal cases
 administrative cases
 There is no specific procedure for urgent matters

Comments - If yes, please specify:

088. Are there simplified procedures for:

- civil cases (small disputes)
 criminal cases (misdemeanour cases)
 administrative cases
 There is no simplified procedure

Comments - If yes, please specify:

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

- civil cases
 criminal cases
 administrative cases

Comments - If yes, please specify:

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions etc.)?

	Yes	No
Agreement on general arrangements	(X)	()
Agreement in specific cases	(X)	()

Comments

4.2.2 Case flow management – first instance

091. First instance courts: number of other than criminal law cases.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court

Total of other than criminal law cases (1+2+3+4)	2 100 500 [] NA [] NAP	1 124 398 [] NA [] NAP	1 212 342 [] NA [] NAP	2 012 556 [] NA [] NAP	1 479 144 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	162 088 [] NA [] NAP	117 187 [] NA [] NAP	115 410 [] NA [] NAP	163 865 [] NA [] NAP	61 140 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	1 930 671 [] NA [] NAP	997 731 [] NA [] NAP	1 088 597 [] NA [] NAP	1 839 805 [] NA [] NAP	1 416 315 [] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	1 856 562 [] NA [] NAP	312 807 [] NA [] NAP	416 294 [] NA [] NAP	1 753 075 [] NA [] NAP	1 400 930 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	74 109 [] NA [] NAP	684 924 [] NA [] NAP	672 303 [] NA [] NAP	86 730 [] NA [] NAP	15 385 [] NA [] NAP
2.2.1. Non litigious land registry cases	71 998 [] NA [] NAP	616 292 [] NA [] NAP	603 621 [] NA [] NAP	84 669 [] NA [] NAP	15 142 [] NA [] NAP
2.2.2 Non-litigious business registry cases	1 575 [] NA [] NAP	67 705 [] NA [] NAP	67 811 [] NA [] NAP	1 469 [] NA [] NAP	1 [] NA [] NAP
2.2.3. Other registry cases	536 [] NA [] NAP	927 [] NA [] NAP	871 [] NA [] NAP	592 [] NA [] NAP	242 [] NA [] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	7 741 [] NA [] NAP	9 480 [] NA [] NAP	8 335 [] NA [] NAP	8 886 [] NA [] NAP	1 689 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments Civil and commercial litigious cases:

There has been a significant decrease in the influx of first instance civil and commercial litigious cases over recent years. This trend continued in 2022, except that one of the biggest first-instance courts received a large number of relatively simple litigious small claims cases, which resulted in an increase in the total number of cases received compared to 2020. This was a one-time increase in the influx of cases, related specifically to this court's territorial jurisdiction, leading to the increase in the number of pending cases even though most of the courts surpassed the 100% clearance rate in the reference year.

The total number of pending civil litigious cases at the end of 2022, as well as the number of pending cases older than two years, dropped compared to 2020, which is in line with the historical trends for this case category. Non-litigious cases: The total number of pending non-

litigious cases decreased to some extent during 2022, which is in line with historical trends for these categories of cases. In addition, majority of the pending civil and commercial litigious cases and general non-litigious cases older than 2 years were cases related to the unpaid utility bills, i.e. the non-litigious enforcement cases. This backlog of old cases is concentrated in the several courts in the biggest cities in Bosnia and Herzegovina. Furthermore, as in the previous years, several courts in their annual reports indicated that they did not have sufficient capacity to handle the workload that increased in the reference year within the project aiming to achieve harmonization between land register and cadaster data. Non-judge court staff deal with a substantial part of the caseload in terms of registry cases and land registry matters. Administrative cases: The overwhelming majority of the administrative law cases are concentrated in the several courts in the biggest cities in Bosnia and Herzegovina. Several courts saw an increase in the influx of administrative cases during 2022, resulting in a surge in the number of pending cases at the end of the year. In addition, the number of pending administrative cases in some of the largest courts has escalated as certain number of the judges specialized in administrative cases were absent due to sick leave or they went into retirement retired during the year.

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

. The most important case categories among civil and commercial non-litigious cases are: non-litigious enforcement cases, inheritance proceedings, non-contentious proceedings related to personal and family matters (e.g. establishing that a person does not have legal competence, stripping of parental rights), non-contentious proceedings for settling relationships between co-owners of the real estate including dissolution of co-ownership, settlement of boundary lines, voluntary sales. The majority of non-litigious cases are enforcement proceedings the state-owned utility companies initiated because of unpaid bills for utility services. (e.g. heating, water, electricity, garbage collection, television subscription etc.).

093. Please indicate the case categories included in the category "other cases":

. No cases are included in the category “other cases”.

094. First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	140 725 [] NA [] NAP	196 514 [] NA [] NAP	200 307 [] NA [] NAP	136 932 [] NA [] NAP	29 713 [] NA [] NAP
1. Severe criminal cases	7 758 [] NA [] NAP	8 938 [] NA [] NAP	8 882 [] NA [] NAP	7 814 [] NA [] NAP	1 354 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	48 319 [] NA [] NAP	54 172 [] NA [] NAP	59 786 [] NA [] NAP	42 705 [] NA [] NAP	92 [] NA [] NAP
3. Other criminal cases	84 648 [] NA [] NAP	133 404 [] NA [] NAP	131 639 [] NA [] NAP	86 413 [] NA [] NAP	28 267 [] NA [] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify Criminal cases: As of 2022, the statistics for severe criminal cases and other cases for this question include data for criminal cases from the first instance jurisdiction of second instance courts. This change may lead to some inconsistencies between data for 2022 and the previous reporting cycle.

Regardless of the above change, the general trends for criminal cases for this question remain similar to the tendencies from the previous reporting cycles.

Misdemeanour cases:

The number of pending first-instance misdemeanour cases decreased during 2022 by 12%, unlike the previous reporting year (i.e. 2020) during which the number of pending cases increased extremely by 35%. The number of resolved first instance cases in 2020 was smaller than usual because of Covid-19 measures restricting the work in courts. However, courts achieved very good clearance rate in 2022 (i.e. 110%), reducing significantly the number of first-instance misdemeanour cases pending at the end of the reporting year. Compared to 2020, the number of incoming first instance misdemeanour cases went down only slightly in 2022 (i.e. by 2%).

4.2.3 Case flow management – second instance



097. Second instance courts (appeal): Number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	34 498 [] NA [] NAP	37 241 [] NA [] NAP	43 176 [] NA [] NAP	28 563 [] NA [] NAP	7 931 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	29 158 [] NA [] NAP	33 847 [] NA [] NAP	38 164 [] NA [] NAP	24 841 [] NA [] NAP	7 865 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Administrative law cases	5 340 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 394 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 012 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 722 <input type="checkbox"/> NA <input type="checkbox"/> NAP	66 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If “Other cases” please specify Civil (and commercial) litigious cases:

There has been a significant decrease in the influx of second instance civil commercial litigious cases over recent years. This trend continued in 2022. However, one of the second-instance courts received a large number of simple cases, which were resolved during the same year, increasing the total number of incoming cases compared to 2020. This was a one-time increase in the influx of cases, related specifically to this court’s territorial jurisdiction. The number of second instance civil and commercial litigious cases decreased in 2022, which is in line with historical trends for these categories of court cases. Administrative cases: The number of second-instance administrative law cases dropped significantly in 2022, compared to the previous reporting cycle in which the workload increased particularly in one of the relevant courts, which had to decide urgently in the huge number of the complaints against the election commission’s decisions in relation to the 2020 local elections. Courts reduced the number of second-instance administrative law cases in 2022, which is in line with historical trends for this category of court cases.

098. Second instance courts (appeal): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	1 264 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 401 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 448 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 217 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	837 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 658 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 662 <input type="checkbox"/> NA <input type="checkbox"/> NAP	833 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	344 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 184 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 221 <input type="checkbox"/> NA <input type="checkbox"/> NAP	307 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other criminal cases	83 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 559 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 565 <input type="checkbox"/> NA <input type="checkbox"/> NAP	77 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify: Criminal cases:

As of 2022, the statistics for severe criminal cases and other cases for this question include only data for criminal cases from the second instance jurisdiction of relevant courts, whereas the statistics on cases generating from their first instance jurisdiction are included in the data for the first instance courts: number of criminal law cases. This change may lead to some inconsistencies between data for 2022 and the previous reporting cycle. Regardless of the above change, the general trends for criminal cases for this question remain similar to the tendencies from the previous reporting cycles.

Misdemeanour cases:

The number of pending second-instance misdemeanour cases decreased during 2022 by 10%, unlike the previous reporting year (i.e. 2020) during which the number of pending cases increased considerably by 15%. The number of incoming and resolved cases remained stable in the reporting year compared to 2020.



4.2.4 Case flow management – Supreme Court

099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	1 984 [] NA [] NAP	4 592 [] NA [] NAP	4 653 [] NA [] NAP	1 923 [] NA [] NAP	176 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	1 984 [] NA [] NAP	4 592 [] NA [] NAP	4 653 [] NA [] NAP	1 923 [] NA [] NAP	176 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

3. Administrative law cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If “Other cases”, please specify In 2022, the courts in this category maintained the trend from the previous reporting cycles to make a certain decrease of the number of pending non-criminal cases. Also, these courts continued to keep the low number of pending cases older than 2 years from the date the cases came to the courts, due to the consistent implementation of the principle to deal with cases chronologically within their respective backlog reduction plans.

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

Yes, please indicate the number of cases closed by this procedure: 1887

No

Comments

100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	716 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	4 392 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	4 411 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	697 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	162 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Severe criminal cases	377 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	437 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	458 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	356 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	14 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	3 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Other criminal cases	336 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	3 951 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	3 947 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	340 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	148 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify In 2022, the courts in this category achieved a clearance rate of 100%, reversing the consequences of COVID-19 in 2020, when there was a temporary increase in the number of pending criminal cases.

4.2.5 Case flow management and timeframes – specific cases



101. Number of specific litigious cases received and processed by first instance courts.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court

Litigious divorce cases	1 664 [] NA [] NAP	3 189 [] NA [] NAP	3 107 [] NA [] NAP	1 746 [] NA [] NAP	11 [] NA [] NAP
Employment dismissal cases	439 [] NA [] NAP	314 [] NA [] NAP	328 [] NA [] NAP	425 [] NA [] NAP	51 [] NA [] NAP
Insolvency	765 [] NA [] NAP	459 [] NA [] NAP	524 [] NA [] NAP	700 [] NA [] NAP	284 [] NA [] NAP
Robbery case	129 [] NA [] NAP	157 [] NA [] NAP	158 [] NA [] NAP	128 [] NA [] NAP	50 [] NA [] NAP
Intentional homicide	91 [] NA [] NAP	84 [] NA [] NAP	96 [] NA [] NAP	79 [] NA [] NAP	28 [] NA [] NAP

Comments Overall, the statistics on the case flow of specific litigious cases in the first instance courts, which are concerned under the Question 101, remain relatively stable in the reference year (i.e. 2022) compared to the previous reporting period (i.e. 2020). Primarily, the variations exist within a relatively small number of cases, so the length of proceedings and other circumstances of individual cases could influence the variations significantly. In addition, the registered variations are high percentage-wise but they are not significant in absolute terms. Certain number of pending criminal cases (i.e. robbery cases, homicide cases), which are older than 2 years, cannot be resolved due to the procedural gridlock that the courts cannot resolve (e.g. an accused person is not traceable). Finally, it is possible that the differences between the courts' statistics for 2022 and 2020, may also be due to the consequences of measures aimed at preventing the spread of the COVID-19 pandemic in 2020.



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101-0. Number of cases relating to asylum seekers and to the right of entry and stay for aliens.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases for more than 2 years
Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	16 [] NA [] NAP	26 [] NA [] NAP	37 [] NA [] NAP	5 [] NA [] NAP	0 [] NA [] NAP
Court cases relating to the right of entry and stay for aliens	1 [] NA [] NAP	8 [] NA [] NAP	4 [] NA [] NAP	5 [] NA [] NAP	0 [] NA [] NAP

Comments When comparing data from 2022 with the data that was sent for 2020, there is a noticeable trend showing a drop in the number of cases which potentially shows that the number of administrative disputes initiated for the review of decisions of the Ministry of Security of Bosnia and Herzegovina is rather small compared to the number of migrants, which may mean that migrants are using BiH more as a transit country on the Balkan route and that the administrative authorities responsible for deciding on foreigner rights are following the relevant case law, and that parties are seeking court protection less than before.

101-1. Could you briefly describe the system in your country dealing with legal remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. The system of remedies relating to:

- asylum seekers (Refugee status under the Geneva Convention of 1951):

In accordance with the Law on Asylum, in asylum procedures the competent body for examining the asylum application and conducting the procedure is the Asylum Sector of the Ministry of Security of BiH and its decision is the final administrative decision,

which can be challenged through an administrative dispute by filing a complaint with the Administrative Division of the Court of BiH.
 •the right of entry and stay of aliens:

In the proceedings related to movement and stay of aliens, which are stipulated by the Law on Aliens, two-instance nature of the administrative proceedings is provided for in such a way that the first instance decisions are issued by the Foreigners Affairs Office, which are appealable to the second instance authority, that is the Ministry of Security of BiH. Decisions of the Ministry of Security of Bosnia and Herzegovina are the final administrative decisions, which can be challenged through an administrative dispute by filing a complaint with the Administrative Division of the Court of BiH.

101-2. Number of cases relating to child sexual abuse and child pornography received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Child sexual abuse	79 [] NA [] NAP	74 [] NA [] NAP	70 [] NA [] NAP	83 [] NA [] NAP	9 [] NA [] NAP
Child pornography	28 [] NA [] NAP	25 [] NA [] NAP	26 [] NA [] NAP	27 [] NA [] NAP	4 [] NA [] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: There are certain variations between 2022 and the previous reporting year when it comes to the number of first instance court cases relating to child sexual abuse and child pornography. However, these variations are registered within a relatively small number of cases, i.e. the variations are high percentage-wise but they are not significant in absolute terms. In addition, the variations could be influenced significantly by the relevant circumstances of individual cases during the reporting year.

102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	19 Allow decimals : 2 [] NA [] NAP	591 [] NA [] NAP	407 [] NA [] NAP	149 [] NA [] NAP	537 [] NA [] NAP	28 Allow decimals : 2 [] NA [] NAP

Litigious divorce cases	<p>Allow decimals : 2</p> <p>8</p> <p>[] NA</p> <p>[] NAP</p>	<p>195</p> <p>[] NA</p> <p>[] NAP</p>	<p>248</p> <p>[] NA</p> <p>[] NAP</p>	<p>62</p> <p>[] NA</p> <p>[] NAP</p>	<p>200</p> <p>[] NA</p> <p>[] NAP</p>	<p>Allow decimals : 2</p> <p>0</p> <p>[] NA</p> <p>[] NAP</p>
Employment dismissal cases	<p>Allow decimals : 2</p> <p>69</p> <p>[] NA</p> <p>[] NAP</p>	<p>457</p> <p>[] NA</p> <p>[] NAP</p>	<p>893</p> <p>[] NA</p> <p>[] NAP</p>	<p>115</p> <p>[] NA</p> <p>[] NAP</p>	<p>587</p> <p>[] NA</p> <p>[] NAP</p>	<p>Allow decimals : 2</p> <p>13</p> <p>[] NA</p> <p>[] NAP</p>
Insolvency cases	<p>Allow decimals : 2</p> <p>12</p> <p>[] NA</p> <p>[] NAP</p>	<p>521</p> <p>[] NA</p> <p>[] NAP</p>	<p>99</p> <p>[] NA</p> <p>[] NAP</p>	<p>11</p> <p>[] NA</p> <p>[] NAP</p>	<p>476</p> <p>[] NA</p> <p>[] NAP</p>	<p>Allow decimals : 2</p> <p>33</p> <p>[] NA</p> <p>[] NAP</p>
Robbery cases	<p>Allow decimals : 2</p> <p>46</p> <p>[] NA</p> <p>[] NAP</p>	<p>314</p> <p>[] NA</p> <p>[] NAP</p>	<p>184</p> <p>[] NA</p> <p>[] NAP</p>	<p>0</p> <p>[] NA</p> <p>[] NAP</p>	<p>275</p> <p>[] NA</p> <p>[] NAP</p>	<p>Allow decimals : 2</p> <p>25</p> <p>[] NA</p> <p>[] NAP</p>
Intentional homicide cases	<p>Allow decimals : 2</p> <p>52</p> <p>[] NA</p> <p>[] NAP</p>	<p>513</p> <p>[] NA</p> <p>[] NAP</p>	<p>260</p> <p>[] NA</p> <p>[] NAP</p>	<p>223</p> <p>[] NA</p> <p>[] NAP</p>	<p>413</p> <p>[] NA</p> <p>[] NAP</p>	<p>Allow decimals : 2</p> <p>20</p> <p>[] NA</p> <p>[] NAP</p>

Comments As a whole, the relevant indicators regarding civil and commercial litigious cases for the reference year (i.e. 2022) are consistent with the statistical information for such cases in 2021. It is important to note that the backlog of old litigious small claims cases for unpaid bills (i.e. electricity bills) is concentrated in the several first instance courts in the biggest cities in Bosnia and Herzegovina. The average duration of resolved second-instance litigation cases decreased significantly due to the increase in the number of resolved cases in the largest courts of second instance in Bosnia and Herzegovina.

As in previous years, as far as other types of court cases are concerned under the Question 102 (Litigious divorce cases, Employment dismissal cases, Insolvency cases, Robbery cases, and Intentional homicides), it is important to put these differences into the following context. Primarily, the variations are registered within a relatively small number of cases, so the variations could be influenced significantly by the length of proceedings and other circumstances of individual cases (e.g. robberies and intentional homicides) or the registered variations are high percentage-wise but they are not significant in absolute terms (e.g. litigious divorce cases, employment dismissal cases, insolvency cases). Certain number of pending severe criminal cases, which are older than 3 years, cannot be resolved due to the procedural gridlock that the courts cannot resolve (e.g. an accused person is not traceable). Finally, it is possible that the differences between the courts' statistics for the reporting year (2022) and the previous reporting period may also be due to the implementation of measures aimed at preventing the spread of the COVID-19 pandemic in 2020.

104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.

. Description of calculation method: The average length of court procedure is calculated as the average of time needed to resolve a case for cases resolved during the reporting year. The average length of court procedure for resolving the case is calculated separately for different phases of the court procedure - from the day of initiating the phase of the court procedure to its completion. The data are retrieved from the case management system.

Average total length of the total procedure:

The average length of the total procedure is calculated as the average of time needed to resolve a case for all cases resolved in the different phases of court procedure during the year. (e. g. The first instance employment dismissal case is resolved in 100 days from its lodging with the first instance court, second instance employment dismissal case is resolved in 120 days from its lodging with the second instance court, and third instance employment dismissal case was resolved in 120 days. The average length of the total procedure employment dismissal cases is calculated as follows: $100+120+120/3=113,3$ days.).

4.2.6 Case flow management – public prosecution

105. Role and powers of the public prosecutor in the criminal procedure (multiple replies possible):

to conduct or supervise investigation

when necessary, to request investigation measures from the judge

to charge

to present the case in court

to propose a sentence to the judge

to appeal

to supervise the enforcement procedure

to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)

to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision

other significant powers (please specify): The Prosecutor may withdraw the indictment without prior approval of the court before its confirmation, and after the confirmation and before the commencement of the main trial, only with the approval of the preliminary hearing judge who confirmed the indictment.

Comments Prosecutors may end the criminal cases against juveniles by imposing certain types of criminal sanctions - i.e. cases in which prosecutors impose educational measures against minor defendants without bringing them to court.

106. Does the public prosecutor also have a role in:

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify:

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107. Public prosecutors: Total number of 1st instance criminal cases.

	Number of cases
1.Pending cases on 1 Jan. ref. year	151 810 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2.Incoming/received cases	41 395 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.Processed cases (3.1+3.2+3.3+3.4)	36 511 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	26 349 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.1.1 Discontinued by the public prosecutor because the offender could not be identified	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	[X] NA [] NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	[X] NA [] NAP
3.1.4 Discontinued for other reasons	[X] NA [] NAP
3.2. Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	36 [] NA [] NAP
3.3. Cases brought to court	10 126 [] NA [] NAP
4. Pending cases on 31 Dec. ref. year	156 694 [] NA [] NAP

Comments Around 88% of pending cases on 31 December 2022 were cases involving criminal acts in which their perpetrators could not be identified by police when the case was filed, cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act. Additionally, around 12% of pending cases were cases against known minor and adult perpetrators. These cases are considered to be more important for the society and the criminal justice system compared to the other group of cases (cases involving criminal acts in which their perpetrators could not be identified by police when the case was filed, cases in which a prosecutor needs to preliminarily establish if an illegal behavior constitutes a criminal act).

Explanation for the discrepancy for data with regards to 3.1. Discontinued during the reference year:

The discrepancy is the result of the change in the CEPEJ methodology for this question. Please note that cases reported in the previous reporting cycle as "Cases closed by the public prosecutor for other reasons" are aggregated with the number of "Cases Discontinued during the reference year" for the 2024 evaluation cycle.

107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?

	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
Total number of guilty plea procedures	946 [] NA [] NAP	946 [] NA [] NAP	[] NA [X] NAP
Before the main trial	240 [] NA [] NAP	240 [] NA [] NAP	[] NA [X] NAP
During the main trial	706 [] NA [] NAP	706 [] NA [] NAP	[] NA [X] NAP

Comments

109. Do the figures provided in Q107 include traffic offence cases?

() Yes

(X) No

Comments

D2. Please indicate the sources for answering the questions in this part

Sources: The data retrieved from the case management system by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1 Recruitment and promotion of judges

110. How are judges recruited?

through a competitive exam (open competition)

through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

other (please specify):

Comments

110-1. Please briefly describe the recruitment procedure(s) for judges in your country:

. The procedure of recruitment and selection of judges is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Rules of Procedure of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Book of Rules on Entrance Exams and Written Tests for Candidates for Judicial Office in the Judiciary of Bosnia and Herzegovina. A public announcement of vacant positions in any court (regardless of the level) precedes the appointment of judges, including court presidents. The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in general does not distinguish the recruitment of new judges from the promotion or transfer of judges to a different position in judiciary. Thus a public vacancy is applicable to both internal candidates (candidates who hold judicial office) and external candidates, who compete each other for the vacant position. However, certain aspects of selection procedure are different for internal or external candidates. Selection procedure may include entrance exams and written tests, depending on the status of the candidate. Entrance exams and written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions of judges on any level. Results of the aforementioned tests are relevant for the establishing the competences of the external candidates. Competences of the candidates who are already judges or prosecutors are established based on the performance evaluation. All candidates have to be interviewed by the interview panel, which assesses the criteria regulated in the aforementioned Rules of Procedure. Candidates are ranked based on their success in the selection procedure. The points received according to the competence criterion (results of entrance exam/written test or performance evaluation) are added to the points received at the interview and candidates are ranked according to the total points scored. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints judges from the list of successful candidates upon proposal of relevant nomination sub-council (internal body within the High Judicial and Prosecutorial Council of Bosnia and Herzegovina). The decision on the appointment has to be reasoned.

110-2. What are the recruitment requirements for judges (multiple replies possible)?

Age

Nationality

- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for judges
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify: Entry test/exam.

110-3. In the frame of these recruitments, please indicate the number of applicants for the position of judge and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	2 014 <input type="checkbox"/> NA	750 <input type="checkbox"/> NA	1 264 <input type="checkbox"/> NA
Number of recruited persons	30 <input type="checkbox"/> NA	12 <input type="checkbox"/> NA	18 <input type="checkbox"/> NA

Comments

110-4. If the number of applicants decreased in the last years did you take any remedial measures?

- Yes
- No

Comments

110-5. If yes, please specify what remedies you implemented:

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new judges
- Other

Comments: If "other", please, specify:

=

111. Authority(ies) responsible for recruitment - are judges initially/at the beginning of their career

recruited and nominated by:

- An authority made up of judges only
- An authority made up of non-judges only
- An authority/authorities made up of judges and non-judges
- Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: The High Judicial and Prosecutorial Council of Bosnia and Herzegovina

111-1. How many members compose this authority?

	Total	Males	Females
Members	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members:

111-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal:

112. Is the same authority (Q111) competent for the promotion of judges?

- Yes
- No

Comments - No, please specify which authority is competent for promoting judges

113. What is the procedure for the promotion of judges? (multiple replies possible)

- Competitive test / Exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured:

113-0. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	431 <input type="checkbox"/> NA	205 <input type="checkbox"/> NA	226 <input type="checkbox"/> NA
Number of promoted persons	36 <input type="checkbox"/> NA	10 <input type="checkbox"/> NA	26 <input type="checkbox"/> NA

113-1. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):

5.1.2 Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- Has an independent status as a separate entity among state institutions
- Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the executive power (without functional independence)
- Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the judicial power (without functional independence)
- Is a mixed model (please explain)
- Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.).Furthermore, if “mixed model” or "other", please specify.

115-1. Are specific instructions addressed to a public prosecutor to prosecute or not prohibited by law or other regulation?

- Yes
- No

Comments - If yes, please specify: Please see the general comments provided in relation to Q 115-1.

115-2. If they are prohibited by law or other regulation, are there exceptions?

- Yes
- No
- NAP

Comments - Please describe these exceptions: Please see the general comments provided in relation to Q 115-1.

115-3. Which authority can issue such specific instructions?

- General Prosecutor
- Higher prosecutor/Head of prosecution office
- Executive power
- Other

NAP

Comments - If "Other", please specify: Please see the general comments provided in relation to Q 115-1.

115-4. What form these instructions may take?

- Oral instruction
- Oral instruction with written confirmation
- Written instruction
- Other

NAP

Comments - If "Other", please specify: Please see the general comments provided in relation to Q 115-1.

115-5. In that case, are the instructions:

- Issued seeking prior advice from the competent public prosecutor
- Mandatory
- Reasoned
- Recorded in the case file
- Other

NAP

Comments - If "Other", please specify: Please see the general comments provided in relation to Q 115-1.

115-6. What is the frequency of this type of instructions:

- Exceptional
- Occasional
- Frequent
- Systematic

NAP

Comments Please see the general comments provided in relation to Q 115-1.

115-7. Can the public prosecutor oppose/report an instruction to an independent body?

- Yes
- No

NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions.

=

116. How are public prosecutors recruited?

- through a competitive exam (open competition)
- through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- other (please specify):

Comments

116-1. Please briefly describe the recruitment procedure(s) for prosecutors in your country:

. The procedure of recruitment and selection of prosecutors is conducted by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in accordance with the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Rules of Procedure of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Book of Rules on Entrance Exams and Written Tests for Candidates for Judicial Office in the Judiciary of Bosnia and Herzegovina. A public announcement of vacant positions in any prosecutor's office (regardless of the level) precedes the appointment of prosecutors, including chief prosecutors. The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina in general does not distinguish the recruitment of new prosecutors from the promotion or transfer of prosecutors to different positions within the judiciary. Thus a public vacancy is applicable to both internal candidates (candidates who hold judicial office) and external candidates, who compete each other for the vacant position. However, certain aspects of selection procedure are different for internal or external candidates. Selection procedure may include entrance exams and written tests, depending on the status of the candidate. Entrance exams and written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions of prosecutors on any level. Written tests shall be carried out mainly for candidates who do not hold judicial office and who have applied for positions in highest prosecutors' offices, and who have previously passed the entrance exam. Results of the aforementioned tests are relevant for the establishing the competences of the external candidates. Competences of the candidates who are already prosecutors are established based on the performance evaluation.

All candidates have to be interviewed by the interview panel, which assesses the criteria regulated in the aforementioned Rules of Procedure. Candidates are ranked based on their success in the selection procedure. The points received according to the competence criterion (results of entrance exam/written test or performance evaluation) are added to the points received at the interview and candidates are ranked according to the total points scored. The High Judicial and Prosecutorial Council of Bosnia and Herzegovina appoints prosecutors from the list of successful candidates upon proposal of the relevant nomination sub-council (an internal committee within the High Judicial and Prosecutorial Council of Bosnia and Herzegovina). The decision on the appointment has to be reasoned.

116-2. What are the recruitment requirements for prosecutors (multiple replies possible)?

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for prosecutors
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify: Entry test/exam.

116-3. In the frame of these recruitments, please indicate the number of applicants for the position of prosecutor and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	568 [] NA	243 [] NA	325 [] NA
Number of recruited persons	11 [] NA	6 [] NA	5 [] NA

Comments

116-4. If the number of applicants decreased in the last years did you take any remedial measures?

() Yes

(X) No

Comments

116-5. If yes, please specify what remedies you implemented:

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new prosecutors
- Other

Comments: If "other", please, specify:

117. Authority(ies) responsible for recruitment - Are public prosecutors initially/at the beginning of their career recruited by:

- An authority composed of public prosecutors only
- An authority composed of non-public prosecutors only
- An authority composed of public prosecutors and non-public prosecutors
- Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

117-1. How many members compose this authority?

	Total	Male	Female
Members	15 [] NA [] NAP	6 [] NA [] NAP	9 [] NA [] NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members: The High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

117-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal:

118. Is the same authority (Q.117) competent for the promotion of public prosecutors?

- Yes
- No, please specify which authority is competent for promoting public prosecutors

Comments

119. What is the procedure for the promotion of prosecutors? (multiple replies possible)

- Competitive test / exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured:

119-1. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	129 <input type="checkbox"/> NA	66 <input type="checkbox"/> NA	63 <input type="checkbox"/> NA
Number of promoted persons	12 <input type="checkbox"/> NA	7 <input type="checkbox"/> NA	5 <input type="checkbox"/> NA

Comments

119-2. Please indicate the criteria used for the promotion of a prosecutor:

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):

5.1.3Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- Yes, please indicate the compulsory retirement age:70

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

121-1. Can a judge be transferred to another court without his/her consent:

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:70

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments

125. If the mandate of judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?

[]

NA

NAP

Comments

125-1. Is it renewable?

Yes

No

NAP

Comments

126. If the mandate of public prosecutors is not for an undetermined period (see question 123),

what is the length of the mandate (in years)?

[]

[] NA

[X] NAP

Comments

126-1. Is it renewable?

() Yes

() No

[X] NAP

Comments

E1. Please indicate the sources for answering the questions in this part

Sources: The Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

5.2. Training

5.2.1 Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in a court)	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for the use of computer facilities in courts	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on ethics	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training on child-friendly justice	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training on gender equality	(X) Yes () No	(X) Yes () No	() Yes (X) No
Other in- service training	() Yes (X) No	(X) Yes () No	() Yes (X) No

128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on gender equality	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
Other in- service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges:

128-1. Do you have a minimum number of compulsory trainings per judge:

	Per judge
Initial compulsory training – minimum number of trainings	<hr/> Min numeric value allowed : 0 11 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In-service compulsory trainings – minimum number of trainings per year	_____ Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	_____ Min numeric value allowed : 0 3 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

5.2.2 Training of prosecutors

129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for management functions (e.g. Head of prosecution office, manager)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for the use of computer facilities in office	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on ethics	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training on child-friendly justice	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training on gender equality	(X) Yes () No	(X) Yes () No	() Yes (X) No
Other in- service training	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments

130. Frequency of the in-service training of public prosecutors :

Frequency of the in-service training

General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on gender equality	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
Other in- service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

130-1. Do you have a minimum number of compulsory trainings per prosecutor:

	Per prosecutor
Initial compulsory training – minimum number of trainings	_____ Min numeric value allowed : 0 11 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Initial compulsory training – minimum number of days	_____ Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

In-service compulsory trainings – minimum number of trainings per year	 Min numeric value allowed : 0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In-service compulsory trainings – minimum number of days per year	 Min numeric value allowed : 0 3 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

5.2.3 Training institutions

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
Institution(s) for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institution(s) for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institution(s) for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments

131-0. If yes, what is the implemented budget of such institution(s)?

	Implemented budget of the institution for the reference year, in €
Institution(s) for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for both judges and prosecutors	654 087 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how judges and/or prosecutors are trained?

. The newly appointed judicial office holders must complete specially designed training courses delivered by the judicial and prosecutorial training centres within 6 months of their appointment. In order to qualify for appointment to judicial or prosecutorial office, one must have passed a bar exam and have a certain number of years of practical experience after having passed the bar exam.

5.2.4 Number of trainings

131-2. Number of in-service trainings available and delivered (in days) by the public institution(s) responsible for training.

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
Total	279 [] NA [] NAP	245 [] NA [] NAP	322 [] NA [] NAP	22 [] NA [] NAP
For judges	176 [] NA [] NAP	158 [] NA [] NAP	213 [] NA [] NAP	21 [] NA [] NAP
For prosecutors	81 [] NA [] NAP	67 [] NA [] NAP	113 [] NA [] NAP	12 [] NA [] NAP
For non-judge staff	22 [] NA [] NAP	20 [] NA [] NAP	20 [] NA [] NAP	1 [] NA [] NAP
For non-prosecutor staff	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP

Comments

131-3. Number of participants in the trainings during the reference year.

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
Total	6 235 [] NA [] NAP	990 [] NA [] NAP
Judges	3 660 [] NA [] NAP	719 [] NA [] NAP
Prosecutors	1 717 [] NA [] NAP	210 [] NA [] NAP
Non-judge staff	858 [] NA [] NAP	61 [] NA [] NAP
Non-prosecutor staff	0 [] NA [] NAP	0 [] NA [] NAP

Comments

E2. Please indicate the sources for answering the questions in this part

Sources:

5.3.Practice of the profession

5.3.1Salaries and benefits of judges and prosecutors



132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	29 224 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 401 <input type="checkbox"/> NA <input type="checkbox"/> NAP	57 157 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 990 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)	55 907 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 051 <input type="checkbox"/> NA <input type="checkbox"/> NAP	109 345 <input type="checkbox"/> NA <input type="checkbox"/> NAP	68 553 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	29 266 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 472 <input type="checkbox"/> NA <input type="checkbox"/> NAP	57 238 <input type="checkbox"/> NA <input type="checkbox"/> NAP	36 128 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).	55 611 <input type="checkbox"/> NA <input type="checkbox"/> NAP	34 548 <input type="checkbox"/> NA <input type="checkbox"/> NAP	108 767 <input type="checkbox"/> NA <input type="checkbox"/> NAP	67 571 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor:

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Special pension	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Housing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other financial benefit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

134. If “other financial benefit”, please specify:

NAP

=

135. Can judges combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	(X) Yes () No	(X) Yes () No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify.

137. Can public prosecutors combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	(X) Yes () No	(X) Yes () No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If "other function", please specify.

specify:

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?

Yes

No

Comments - If yes, please specify the conditions and if possible the amounts:

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)?

Yes

No

Comment - Please specify:

138-1. If yes, who are the members of this institution/body?

Only judges

Judges and other legal professionals

Other, please specify:

Comments

138-2. Are the guidelines and/or opinions of this institution / body publicly available?

Yes

No

Comments - Please describe the work of this institution / body, the frequency of the guidelines and/or opinions, etc.:

138-2-1. How many guidelines and/or opinions were given during the reference year?

[19]

[] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

138-3. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

Yes

No

Comment: Please specify

138-4. If yes, who are the members of this institution/body?

- Only prosecutors
- Prosecutors and other legal professionals
- Other, please specify:

Comments

138-5. Are the guidelines and/or opinions of this institution / body publicly available?

- Yes
- No

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

138-5-1. How many guidelines and/or opinions were given during the reference year?

- 31
- NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

5.4. Disciplinary procedures

5.4.1 Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court
- Disciplinary body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple replies possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court

- Disciplinary body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

142. Which authority has disciplinary power over judges (multiple replies possible)?

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors (multiple replies possible)?

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):

Comments

5.4.2 Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

Judges	Prosecutors
--------	-------------

Total number (1+2+3+4)	32 [] NA [] NAP	9 [] NA [] NAP
1. Breach of professional ethics	8 [] NA [] NAP	3 [] NA [] NAP
2. Professional inadequacy	24 [] NA [] NAP	6 [] NA [] NAP
3. Criminal offence	0 [] NA [] NAP	0 [] NA [] NAP
4. Other	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If “other”, please specify: Some cases against judges and prosecutors were initiated for two or more disciplinary mistakes. Such cases were counted only once in accordance with the Explanatory note. The main mistake for those disciplinary cases was determined in our best estimate.

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 10)	23 [] NA [] NAP	10 [] NA [] NAP
1. Reprimand	6 [] NA [] NAP	2 [] NA [] NAP
2. Suspension	0 [] NA [] NAP	0 [] NA [] NAP
3. Withdrawal from cases	[] NA [X] NAP	[] NA [X] NAP
4. Fine	[] NA [X] NAP	[] NA [X] NAP
5. Temporary reduction of salary	17 [] NA [] NAP	6 [] NA [] NAP
6. Position downgrade	0 [] NA [] NAP	2 [] NA [] NAP
7. Transfer to another geographical (court) location	0 [] NA [] NAP	0 [] NA [] NAP
8. Resignation	0 [] NA [] NAP	0 [] NA [] NAP

9. Other	0 [] NA [] NAP	0 [] NA [] NAP
10. Dismissal	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. A significant difference between the number of disciplinary proceedings against judges initiated (32) and the total number of sanctions imposed (23) was caused by the following circumstances: the disciplinary action was rejected in (3) cases and disciplinary proceedings were suspended in (9) cases (4 judges retired, 3 judges resigned, 1 judge died, and 1 judge's term expired).

There was a difference between the number of disciplinary proceedings against prosecutors (13) and the number of penalties (10). This difference occurred because a disciplinary lawsuit was rejected in (3) cases.

E3. Please indicate the sources for answering the questions in this part

Sources: The report of the Office of Disciplinary Counsel of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

6.Lawyers

6.1.Profession of lawyer

6.1.1Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Males	Females
Number of lawyers	1 981 [] NA	1 329 [] NA	652 [] NA

Comments

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

[] NA

[X] NAP

Comments

=

149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Dismissal cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Defendant	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Victim	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Administrative cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights:

149-0. If other than lawyers may represent a client in court, please specify who:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Family member	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Self-representation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Trade union	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s):

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

Notarial activity

Arbitration / mediation

Proxy / representation

Property manager

Real estate agent

Other (please specify): Any other activity that is not in contravention with the Law on the Legal Profession.

Comments

149-2. Professional lawyers may have the status of:

Self-employed lawyer

Staff lawyer

In-house lawyer

Comments

150. Is the lawyer profession organised through:

a national bar association

a regional bar association

a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

Yes

No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general in-service professional training system for lawyers?

Yes

No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

Yes

No

Comments - If yes, please specify:

F1. Please indicate the sources for answering the questions in this part

Sources: The legislation on the profession of lawyer.

In addition, the relevant bar associations provided the information on the number of lawyers practicing in Bosnia and Herzegovina.

6.1.2 Practicing the profession of lawyer

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

156. Do laws or bar standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

6.1.3 Quality standards and disciplinary procedures for lawyers

157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used?

158. If yes, who is responsible for formulating these quality standards:

the bar association

the Parliament

other (please specify):

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

a judge

Ministry of Justice

a professional authority

other (please specify):

Comments

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	17 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. One of the bar chambers in Bosnia and Herzegovina informed that sanctions were pronounced against 5 lawyers in 2022 indicating generally that the defendants were either fined or disbarred. However, the chamber could not break down the total number of sanctions imposed.

7. Court related mediation and other alternative Dispute Resolution

7.1. Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned:

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Family cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Labour cases including employment dismissals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Consumer cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

Yes

No

NAP

Comments - If yes, please specify:

=

166. Number of accredited or registered mediators for court-related mediation:

	Total	Males	Females
Number of mediators	195 <input type="checkbox"/> NA <input type="checkbox"/> NAP	89 <input type="checkbox"/> NA <input type="checkbox"/> NAP	106 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

166-1. Could you please describe what are the requirements and what is the procedure to become an accredited or registered mediator in your country (educational requirements, working experiences, accrediting procedure etc.)?

. The Law on mediation procedure determines the requirements for conducting the mediation as follows.
 The mediator may be a person meeting general requirements for employment.
 In addition, the mediator must meet the following requirements:

- a) a university degree,
- b) completed training in mediation according to the program of the Association of mediators or according to another training programs recognized by the association,
- c) entry into the registry of mediators held by the association.

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6 + 7)	164 <input type="checkbox"/> NA <input type="checkbox"/> NAP	122 <input type="checkbox"/> NA <input type="checkbox"/> NAP	117 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	153 <input type="checkbox"/> NA <input type="checkbox"/> NAP	111 <input type="checkbox"/> NA <input type="checkbox"/> NAP	106 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

3. Administrative cases	1 [] NA [] NAP	1 [] NA [] NAP	1 [] NA [] NAP
4. Labour cases including employment dismissal cases	9 [] NA [] NAP	9 [] NA [] NAP	9 [] NA [] NAP
5. Criminal cases	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
6. Consumer cases	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP
7. Other cases	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP

Comments - Please indicate the source: The Association of Mediators of Bosnia and Herzegovina produced the statistics on mediations. Historically, the number of mediations is small in Bosnia and Herzegovina. The already small number of mediations was further reduced in 2022 compared to previous period. Although this difference is large in terms of percentage, in reality it was not a significant change in terms of the scope of use of mediation procedures in Bosnia and Herzegovina.

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168. Do the following alternative dispute resolution (ADR) methods exist in your country?

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify):

Comments

G1. Please indicate the sources for answering the questions in this part

Source:

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1 Number of enforcement agents, status and mandate

169. Number and type of enforcement agents in your country.

	Total	Male	Female
Total (1+2+3+4)	176 [] NA	144 [] NA	32 [] NA

1. Private professionals under the authority (control) of public authorities	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	176 [] NA [] NAP	144 [] NA [] NAP	32 [] NA [] NAP
3. Judges	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If other, please specify their status and competences:

170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other

Comments - If "other", please specify:

171. Are enforcement agents appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- Yes, please indicate the age of retirement: 65
- No, please specify the duration of the appointment:

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

8.1.2 Activities/scope of competence

171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

	Access to information	Direct electronic access to information
Address	(X) Yes () No	() Yes (X) No
Date of birth	(X) Yes () No	() Yes (X) No
Civil status	() Yes (X) No	() Yes (X) No
Cohabitant	() Yes (X) No	() Yes (X) No

Employer	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Motor vehicle	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Movable property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Immovable property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Bank account	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other enforcement proceedings underway	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "other", please specify: The main source of the information for the enforcement agent on the debtor is the motion for enforcement submitted by the judgement creditor at the beginning of the enforcement procedure. In addition, the enforcement agent can gather further information on the debtor by observing the facts on the relevant location and interviewing the parties to the enforcement of proceedings and other persons.

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No [] NAP
Preventive seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No [] NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No [] NAP
Preventive seizure of immovable properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No [] NAP

Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizures of boats and ships	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of aircrafts	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of electronic assets (e.g cryptocurrency)	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Sale of shares	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments Enforcement of various types of court decisions including the enforcement of the court decision for surrender of the child in the context of divorce proceedings.

171-3. Apart from the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary or public auctions of moveable or immovable property
- Custody of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments These other activities are not usually undertaken by the bailiff outside the enforcement procedure.

8.1.3 Training and ICT

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- Yes
- No

Comments

172-2. Do you have an e-learning training system established for enforcement agents?

- Yes
- No

Comments - If yes, please specify:

172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?

Yes

No

Comments - If yes, please specify:

172-4. Have an electronic service of documents or electronic notifications been introduced in your country?

Yes

No

Comments

172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?

Yes

No

Comments - Please explain:

8.1.4 Fees

174. Are enforcement fees easily established and transparent for parties?

Yes

No

Comments

175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?

Yes

No

Comments

175-2. Who has to pay these fees if the enforcement proceedings are successful?

The debtor

The creditor

Other – please specify

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering the questions in this part

Source: The legislation on the enforcement proceedings in Bosnia and Herzegovina.

8.1.5 Organisation of profession and efficiency of enforcement services

177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

professional body

judge

Ministry of Justice

public prosecutor

other (please specify):

Comments

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

Yes

No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

Yes

No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

- insufficient supervision
- excessive cost
- unethical behaviour of enforcement agent
- other (please specify):

Comments

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	(X) Yes () No
for administrative cases	() Yes (X) No

Comments

186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):

- between 1 and 5 days
- between 6 and 10 days
- between 11 and 30 days
- more (please specify):
- NA

Comments In courts that are responsible for a larger area, it takes 6-10 days to submit a decision on execution to the parties. In other courts the above-mentioned decisions get served normally between 1-5 days.

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. For breach of professional ethics	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. For professional inadequacy	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. For criminal offence	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons:

H1. Please indicate the sources for answering the questions in this part

Source: Q186: This is an estimate based on the consultations with experienced bailiffs from the biggest courts in Bosnia and Herzegovina.

Q187 and Q188: The High Judicial and Prosecutorial Council of Bosnia and Herzegovina collected the data from the relevant courts in Bosnia and Herzegovina.

8.2. Execution of decisions in criminal matters

8.2.1 Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple replies possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Enforcement agent
- Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

Yes

No

Comments

191. If yes, what is the recovery rate?

80-100%

50-79%

less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1 Number, status and mandate of notaries



192. Number and status of notaries in your country.

	Total	Males	Females
TOTAL (1+2+3+4)	181 [] NA [] NAP	81 [] NA [] NAP	100 [] NA [] NAP
1. Private professionals (without control from public authorities)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Holders of public offices appointed by the State	181 [] NA [] NAP	81 [] NA [] NAP	100 [] NA [] NAP
3. Civil servants (paid by the State)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If “Other”, please specify the status, or if “holder of a public office appointed by the State”, please indicate which ministry is mainly engaged in the appointment procedure: There has been an increase in the number of notaries on one of the government levels in line with the legislative amendments which prescribe that the territory of each local government shall have one official notary seat, also prescribing the announcement of a public competition every six months, for each official seat where a notary has not been appointed, until the appointment is completed.

192-1. What are the access conditions to the profession of notary (multiple replies possible):

diploma

professional experience

specific exam

appointment procedure by the State

initial training

other (please specify):Citizenship of Bosnia and Herzegovina, Clean criminal record.

Comments Other: Citizenship of Bosnia and Herzegovina, Clean criminal record, No membership in political parties.

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

yes, please indicate the age of retirement:In different jurisdictions within Bosnia and Herzegovina, a notary may perform his/her service until she/he is 70 or 68 years of age.

no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

9.1.2 Activities/scope of competences

194. What kind of activities do notaries perform (multiple options possible)?

	Please select one option
Authentication	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Certification of signatures	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Mediation	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Taking of oaths	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Act as civil servant (for example performing marriage, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other judicial functions (for example, payment orders)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Public auctions	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Other (for example collect taxes, run registers etc.)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify. Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or, on the opposite, other bodies that also have competences for the listed activities.

194-2. In which areas of law do notaries perform their activities (multiple replies possible)?

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments

9.1.3 ICT, organisation of the profession and training

194-3. Do notaries use specialised ICT systems in their activity?

- In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)
- In their relations with their clients
- In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

194-4. Which computerised registries can notaries consult?

- Land registry
- Business registry
- Civil status / Population registry
- Succession / Family law registry
- Any other registry (please specify)The Register of Wills and Other Probate Law Records
- None

Comments In one of the jurisdictions within Bosnia and Herzegovina, a notary chamber has access to the Register of Wills and Other Probate Law Records.

194-5. Are there registries/ registry infrastructures run by the notaries?

- Yes
- No

Comments - If yes, please specify: The Register of Wills and Other Probate Law Records, in one of the jurisdictions within Bosnia and Herzegovina, was maintained manually until 20/6/2022, after which the data has been maintained electronically.

194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Business registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Civil status/ Population registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Succession / Family law registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Any other registry (please specify)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
None	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments The Register of Wills and Other Probate Law Records in one of the jurisdictions within Bosnia and Herzegovina.

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194-7. What ICT tools are used by notaries in their relations with clients?

- Videoconferencing (e.g. digital advice)
- Digital act
- Digital identification

- Digital archiving
- Other, please specify
- None

Comments

194-8. Who is responsible to run the digital archives?

- Notariat / Professional body
- Other public authority
- Another entity (please specify)

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- Yes
- No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

- professional body
- court
- Ministry of Justice
- public prosecutor
- other (please specify):

Comments

196-1. Is there a system of general continuous training for all notaries?

- Yes
- No

Comments During the reporting period, notaries did not have training in European law and the law of other countries.

196-2. Do notaries have training on:

	Yes	No
European law	()	(X)
Law of another Member State (cross-border training programmes)	()	(X)

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities:
 During the reporting period, notaries did not have training in European law and the law of other countries.

I1. Please indicate the sources for answering the questions in this part

10. Judicial experts

10.1. Profession of judicial expert

10.1.1 Status of judicial experts

202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):

- Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court
- Experts appointed by the court or other authority independent of the parties
- Other system of judicial expertise, please specify

Comments - Please specify who is proposing and appointing experts in an individual case.

202-1. Are there lists or any other form of official registration for judicial experts?

- Yes
- No

Comments

202-1-1. If yes, at which level is the list established (multiple replies possible):

- national
- administrative district or federal entity
- judicial district
- other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?):

202-1-2. Are these lists publicly available?

- Yes, available on the internet
- Yes
- No

Comments

202-2. Which authority is competent for the registration of judicial experts?

- Ministry of justice
- Courts
- Administrative body
- Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria:

202-3. Is the registration of judicial experts limited in time?

Yes, for how long The expert witness is appointed for 6 years. He or she can request the renewal of the appointment.

No

Comments

202-4. Can an expert who is not on the list or not registered be appointed in a case?

Yes

No

Comment - If yes, please specify in which cases:

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the judicial expert have an obligation of training?

	Obligation of training
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Continuous training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

203-2. If yes, does this training concern:

judicial proceedings

the profession of expert

other

Comments

=

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments

204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?

Yes

() No

Comments - If yes, please specify:

205. Number of accredited or registered judicial experts:

	Total	Males	Females
Number of experts	2 854 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

206-1. Number of cases where an expert opinion was ordered by a judge or requested by the parties

	Number of cases
Total (1+2+3+4)	12 135 [] NA [] NAP
1.Civil and commercial litigious cases	8 240 [] NA [] NAP
2.Administrative cases	1 [] NA [] NAP
3.Criminal cases	697 [] NA [] NAP
4.Other cases	3 197 [] NA [] NAP

Comments

205-1. Who defines the amount of the expert remuneration?

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Defined by the court/judge	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Defined by the Ministry of Justice or another ministry (setting a tariff for example)	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Freely agreed between expert and the parties	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Other	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	(X)	()
Quality of expertise	(X)	()
Other	()	(X)

[] NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions:

207-1. Does the judge or another body control the progress of the expertise?

(X) Yes

() No

If yes, please specify:

207-2. Are judicial experts' associations involved in:

[] Selection processes

[] Initial or continuous training

[] Disciplinary procedures

[X] NAP

Comments

K1. Please indicate the sources for answering the questions in this part

Sources: Q205: The relevant ministries of justice provided the information on the number of accredited judicial experts.
Q206-1 The number of cases where expert opinion was ordered by a judge is generated from the case management system by the the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.

11.Reforms in judiciary

11.1.Foreseen reforms

11.1.1Reforms



208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:

208-1. (Comprehensive) reform plans

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: The Reform Programme of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina for the period 2021 – 2023 has been adopted in May 2021 (available on: <https://vstv.pravosudje.ba/>, Activities, European Integration, Recommendations European Commission) and its Implementation Plan in September 2021. It takes into account recommendations of the European Commission’s Peer Review assessment missions, that were carried out between 2016 – 2017, the European Commission’s Opinion on Bosnia and Herzegovina’s application for membership of the European Union from May 2019 and the accompanying Analytical Report of the European Commission, the Expert Report on Rule of Law Issues in Bosnia and Herzegovina from December 2019 (the Priebe Report), recommendations of the European Commission sent to BiH institutions after the 4th and 5th meetings of the Subcommittee for Justice, Freedom and Security, as well as the third Annual Report on Judicial Response to Corruption of the Organization for Security and Co-operation in Europe Mission to Bosnia and Herzegovina and documents prepared within the framework of the Project of The United States Agency for International Development - The Judiciary against Corruption “Assessing procedures and processes in cases involving high-profile corruption, organised crime and commercial crime”.

208-2. Budget

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify:

208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: Planned reforms:

Debate on the reform of state level judicial institutions and drafting of the new Law on Courts of Bosnia and Herzegovina is still ongoing. The legislative debate focuses on the establishment of the Appellate/Higher Court of Bosnia and Herzegovina and redefining, in clear terms, criminal jurisdiction of state level judicial institutions. There are no plans set to reform regulation on the competencies and

organization of court system and prosecutor's offices.

Implemented reforms:

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina adopted the new Book of Rules on performance indicators for prosecutors in Bosnia and Herzegovina (hereinafter: " Book of Rules ") in January 2022. The aim of the new Book of Rules is to ensure more efficient performance of prosecutors and prosecutor's offices in Bosnia-Herzegovina.

The new Book of rules regulate:

- Significantly reduced the quota for Chief Prosecutors and Deputy Chief Prosecutors in order to direct most of their work to the increased supervision of the work of prosecutors in the prosecutor's office. - The trial phase is weighted by prescribing a higher weighting of indictments compared to order not to conduct investigation and order to discontinue investigation. -The number of prescribed indictments has been reduced, which constitutes the annual quota for certain types of cases with the aim of improving the quality of indictments.
- The proposed new solutions give the possibility that exceptional commitment and work on the most complex cases will be adequately weighted, with a special focus on cases of economic crime, high-level corruption and organized crime.
- Stricter procedure for making decisions on additional weighting is prescribed, which additionally evaluates the prosecutor's work on the most complex types of cases.

208-4. Access to justice and legal aid

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-5. High Judicial Council (competent for judges and/or prosecutors)

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The preparation of the new comprehensive Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina is underway, with the aim of improving the organization and functioning of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the appointment of judges and prosecutors and disciplinary proceedings, the system of assessment of judges and prosecutors. The Ministry of Justice of Bosnia and Herzegovina coordinates the process of drafting the law.

In parallel, in 2023, the amendments to the existing Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina were adopted in order to ensure that urgent improvements of the Law are achieved in terms of judicial integrity matters, such as asset declaration for judges and prosecutors and disciplinary matters.

208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The preparation of the new comprehensive Law on the High Judicial and Prosecutorial Council of

Bosnia and Herzegovina is underway, with the aim of improving the appointment of judges and prosecutors and disciplinary proceedings, the appraisal procedure for judges and prosecutors. In parallel, in 2023, the amendments to the existing Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina were adopted in order to ensure urgent improvements of the Law in terms of judicial integrity matters, such as asset declaration for judges and prosecutors and disciplinary matters.

In addition, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina plans to adopt new criteria for evaluating the work of judicial office holders that will increase the importance of the quality of decisions and other qualitative indicators in the assessment procedure.

Finally, legislation has been amended and relevant registries were adjusted to make the work of notaries on inheritance cases more efficient.

208-7. Gender equality

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In 2022, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina has organized seven workshops for all judicial institutions, aimed at providing knowledge necessary for the creation of action plans for the implementation of the Strategy on Improving Gender Equality in the Judiciary of BiH.

The workshops were carried out in partnerships with the Swedish National Courts Administration, Swedish experts and the representatives of pilot judicial institutions.

In addition, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina has provided support to judicial institutions in the process of preparation of their action plans for the implementation of the Strategy, which was followed by their assessment and adoption.

As a result, the judicial institutions have commenced implementing their action plans in 2022, whilst the HJPC will regularly monitor their realization.

The Strategy is available here: <https://pravosudje.ba/vstvfo/E/141/article/95500>

208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Debates are underway between the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Ministries of Justice at all levels of the government on the reform of the procedure for the enforcement of court decisions in civil cases, the appeal procedure in civil proceedings and the strategy for alternative dispute resolution.

208-9. Enforcement of court decisions and in particular regarding decisions against public authorities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Debates are underway between the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Ministries of Justice at all levels of the government on the reform of the procedure for the enforcement of court decisions in civil cases, the appeal procedure in civil proceedings and the strategy for alternative dispute resolution.

208-10. Mediation and other Alternative Dispute Resolution

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify: Debates are underway between the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Ministries of Justice at all levels of the government on the reform of the procedure for the enforcement of court decisions in civil cases, the appeal procedure in civil proceedings and the strategy for alternative dispute resolution.

208-11. Fight against crime

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify: The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has adopted an action plan with regulatory measures aimed to increase the prosecution offices' and courts' procedural efficiency in high level corruption and organized crime cases.

208-12. Prison system

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify: The legislation on the prison system has been amended to better regulate how long-term imprisonment is enforced.

208-13. Child friendly justice

- Yes (planned)
 Yes (adopted)
 Yes (implemented during year of reference +1)
 No
 NA

Comments - If yes, please specify: The legislation on family matters has been amended to improve the protection of children in court proceedings.

208-14. Domestic violence

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: New legislation on protection from domestic violence is being prepared in order to improve the prevention of domestic violence and protection against domestic violence, including court proceedings.

208-15. New information and communication technologies

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Planned reforms:

- Case Management System v3 - Development of the Case Management System v3 is in its final phase. Implementation in the pilot institutions is planned for June 2023, and implementation in the rest of the judiciary institutions is planned to start in August 2023. - Software for planning and tracking of budgets in judiciary institutions – Technical specification for development of the Software is finished. Development of the Software is planned to be finished by the end of the 2023 and implementation in the judiciary institutions is planned for 2024.

- BiH Organized Crime And Corruption Case Map – It is planned that the Case Map will be developed and implemented by the August 2023. Implemented: - e-Sentence Portal – Since January 1, 2022 the e-sentence Portal is available to all employees in judiciary, and from February 1, 2022 it is available to professional community as well as to citizens. It contains judicial practice of 4 highest court in BiH – Court of Bosnia and Herzegovina, Supreme Court of Federation of Bosnia and Herzegovina, Supreme Court of Republica Srpska and Appellate Court of the Brko District of Bosnia and Herzegovina. It contains selected court decisions and legal opinions. Approximately, 5000 legal opinions with accompanying court decisions have been published so far.

- System for the electronic submission and processing of utility cases (SOKOP – Mal v2) – Implemented in pilot courts and utility companies during March 2022. Implementation in the rest of the courts is planned for the second half of 2023.

208-16. Other

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: